File Microcopies of Records in the National Archives: No. 133

Roll 71

DESPATCHES FROM UNITED STATES MINISTERS TO JAPAN

Volume 71

December 6, 1897 - August 29, 1898

THE NATIONAL ARCHIVES

Washington: 1949

INTRODUCTION

The 83 volumes reproduced in this microcopy contain communications, with related enclosures, that were received by the Secretary of State from diplomatic representatives of the United States accredited to Japan in the period 1855-1906. The series, which may be referred to as "Diplomatic Despatches, Japan," is part of a larger body of records in the National Archives designated as Record Group 59, General Records of the Department of State. The documents have been reproduced in the order, for the most part chronological, in which they appear in the volumes. Their contents are registered on Roll 1.

The volumes, each of which has been microcopied on a separate roll (except volumes 81 and 81 Annex which have been placed on one roll), are distributed as follows:

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50	50	January 7, 1884 - June 30, 1884
51	51	July 1, 1884 - December 29, 1884
52	52	January 2, 1885 - July 30, 1885
53	53	August 1, 1885 - December 31, 1885
54	54	January 6, 1886 - July 9, 1886
55	55	July 10, 1886 - December 29, 1886
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61	61	February 5, 1890 - June 23, 1890
62	62	July 7, 1890 - December 24, 1890
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64	64	January 5, 1892 - December 28, 1892
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Roll	Volume	Inclusive Dates
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82	82	March 1, 1906 - August 9, 1906

Most of the communications are original despatches, usually accompanied by enclosures. Some of the enclosures are original notes to the American representatives from officials of the Japanese foreign ministry. Other enclosures were written by American consuls in Japan and, occasionally, by private citizens of the United States. A considerable number of enclosures are copies of communications sent by American representatives to Japanese officials. Pamphlets, newspaper clippings, and other printed matter are sometimes enclosed.

Apart from numbered despatches and enclosures, these volumes contain many unnumbered letters, some of which are marked "Private" or "Confidential." Unnumbered or private letters, more informal than despatches, may report official matters requiring secrecy or not fully covered in the despatches, or may convey personal news, acknowledgments of appointment or recall, announcements of arrival or departure, and statements of official expenses. The volumes also contain telegrams and cables, which were not numbered.

The register to these despatches reproduced on Roll 1 of this microcopy consists of selected pages from a number of State Department registers, which, taken as a unit, comprise a register of these despatches from 1855 to 1906. These register volumes, in their entirety, record diplomatic despatches received by the Department of State from American legations throughout the world from 1789 to 1906. For the period beginning in 1870 the communications reproduced in this microcopy are registered, with those from representatives in other countries, in volumes that have been reproduced as the first 10 rolls of File Microcopy 17, State Department Registers of Correspondence.

In Record Group 59, General Records of the Department of State, in the National Archives there are several series of volumes containing additional material on the relations between Japan and the United States. Complementary to the diplomatic despatches are instructions from the Secretary of State to the diplomatic representatives of the United States accredited to Japan, 1855-1906, which have been reproduced on Rolls 104-108 of File Microcopy 77, Diplomatic Instructions of the Department of State. Additional records pertaining to the relations between the United States and Japan during the period covered by the present microcopy include the

communications ("Notes") exchanged between the Secretary of State and the diplomatic representatives of Japan in Washington. Related to these records, though less directly, are despatches to the Department of State from United States consuls at Nagasaki, 1860-1906 (File Microcopy 131), Kanagawa, 1861-1897 (File Microcopy 135), Yokohama, 1897-1906 (File Microcopy 136), and at Osaka, Hiogo, and Kobe, 1868-1906. All these series were discontinued on August 14, 1906, when the Department of State adopted the practice of filing incoming and outgoing correspondence, not of a routine nature, by subject in a single numerical case file. Correspondence on routine matters was placed in a "minor file." In 1910 this system was abandoned and the Department's present decimal system of subject classification adopted. The numerical case file, the "minor file," and the decimal file are in the National Archives through 1929.

Also in the National Archives, in Record Group 84, Records of the Foreign Service Posts of the Department of State, there are records kept by American diplomatic and consular posts. Although these post records duplicate to some extent the records that were kept in Washington, they supplement them importantly by providing detailed information about many transactions that were only summarized or were not reported on at all in the documents that were transmitted to Washington. File microcopies of these post records have not been made.

In this microcopy the ends of lines next to the binding have not always been reproduced by the camera; a reading of any lines thus affected will be provided upon request by the National Archives.

ROLL CONTENTS

The volume microcopied on this roll has the following backstrip title: "71 / Japan / Alfred E. Buck / December 1, 1897 / August 31, 1898 / 62 - 187 / Department / of State." It contains communications, with related enclosures, to the Secretary of State from Alfred E. Buck, Envoy Extraordinary and Minister Plenipotentiary accredited to the Government of Japan, April 13, 1897.

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Japan

Alfred E. Buck

December 1, 1897

November 30, 1898

62 - 221

Oct 1, 1896
Nov 30 1897

H16-499;1-61

No. #

2D ASSISTANT SECRETARY,
To Treasury (Circ. Oct 7.97)
File.
DEC 29 1897

DEC 29 1897

INDEX BUREAU
REC'D.
29DEC1897
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 6, 1897.

Wm Tracy Archer
Dec. 30 1897
C 12/27

Mr. Buck

to the Secretary of State.

Subject:

Export duty imposed by Japan upon pulp wood exported to the United States.

No. ##

LEGATION OF THE UNITED STATES,
Tokyo, Japan, December 6, 1897.

To the Honourable John Sherman,
Secretary of State,
Washington, D.C.

Sir:

I have the honour to acknowledge the receipt of your unnumbered Instruction of date October 7th, last, directing me to ascertain and advise the Department whether Japan imposes an export duty upon pulp wood exported to the United States, and, if so, the amount of such duty per cord.

In reply I have the honour to inform you that under the present tariff an ad valorem duty of 5 per cent is levied upon pulp wood exported to the United States.

I have the honour to enclose herewith copy of Note No.52 of the Ist instant, in which Baron Nissi, His Imperial Japanese Majesty's Minister for Foreign Affairs, gave me this information, which I had requested by a note of the 19th ultimo.

I have the honour to be,
Sir,
Your obedient servant,

Edwin Dun

Enclosure:

Copy of Baron Nissi's Note No.52, of date December Ist, 1897, as above.

Enclosure with Mr. Buck's No. [illegible], (Copy)

No.52.

Department of Foreign Affairs,

Tokyo, the Ist day, the I2th month,

the 30th year of Meiji.

His Excellency

Alfred E. Buck,

Envoy Extraordinary and Minister Plenipotentiary of

the United States of America.

Monsieur le Ministre:

I have the honour to acknowledge the receipt of Your Excellency's Note No.38, of the I9th ultimo, asking for the information about the export tariff on pulp wood, a paper material, exported from Japan to the United States.

In reply I beg to state that the Minister of Finance, to whom I had referred the matter, has just communicated to me to the effect that an ad valorem duty of 5 per cent is levied on the said article.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) Baron Nissi Tocziro,

Minister for Foreign Affairs.

DEC 30 1897
BUREAU
2D ASSISTANT SECRETARY,
DEC 30 1897

No. 62.

Ans. Matter does not appear to involve any Am. interests at Nagasaki. adversely No instructions are deemed necessary.

INDEX BUREAU
REC'D.
29DEC1897
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 7, 1897.

Ansd Jan. 3/98.

Mr. Buck

to the Secretary of State.

Subject:

Forwarding correspondence with the United States Consul at Nagasaki concerning a "Scheme for the Improvement of Nagasaki Harbo r", and the possible violation of rights of foreign land holders at that port in the event of the carrying out of the scheme, and the protests made by the Consuls of the treaty powers.

No. 62.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, December 7, 1897.

To the Honorable John Sherman,
Secretary of State,
Washington, D.C.

Sir:

I have the honour to submit herewith copies of the correspondence between this Legation and W.H. Abercrombie, Esq., United States Consul at Nagasaki, in respect to the "Harbour "Improvement Scheme" at that port, consisting of my telegraphic Instruction of date September 26th, last, (Enclosure No. I), the Consul's telegraphic reply of date September 30th, last, (Enclosure No. 2), the Consul's report of date October 2nd, (Enclosure No. 3), my Instruction No. 23 of date October 9th (Enclosure No. 4), and the Consul's reply and my Instruction No. 3I, of dates October I8th and November Ist, last, respectively.

In this connection I have the honour to state that the representatives here of the German, French, and British governments have submitted to Baron Nissi, His Imperial Japanese Majesty's Minister for Foreign Affairs, formal protests against the "Harbour Improvement Scheme" as in violation of the rights of the subjects or citizens of their governments.

In discussions of this matter with the French Chargé d'Affaires and Mr. H.W. Dennison, Counsellor for the Japanese Foreign Office, I have been pleased to find that both take the same view that I do — that the best course to take is to have the question at issue submitted to arbitration. The French Chargé d'Affaires

d'Affaires now informs me that he has suggested to his government that he be instructed to ask settlement of the question in this way, and Mr. Dennison will doubtless advise the Japanese Government to accept such a proposition. I understand, too, that the representatives here of the German and British Governments concur in the matter's taking that course.

Although it will appear from the reports of the Consul at Nagasaki that in the scheme for the improvement of Nagasaki harbour no real interests of any American citizens are involved, yet, as like questions may possibly arise in the near future in Kobe and Yokohama, in the harbours of which ports interests of American citizens probably will be involved, but, perhaps, not identical with the questions raised at Nagasaki, I regard it my duty to interest myself , in so far at least as in the furtherance of a speedy settlement of the matter, and thus to avoid, if possible, a prolonged diplomatic controversy.

Desiring instructions from the Department, if any are deemed necessary,

I have the honour to be,

Sir,

Your obedient servant,

W. E. Buck

Enclosures:

No. I. Mr Buck's Telegraphic Instruction to Mr. Abercrombie of date September 29th, 1897.

No. 2. Telegram—Mr. Abercrombie to Mr. Buck, of date October 1st, 1897.

No. 3 Mr. Abercrombie to Mr. Buck, of date October 2nd, 1897.

No. 4. Mr. Buck to Mr. Abercrombie, of date October 9th, 1897.

No. 5.

No.5. Mr.Abercrombie to MrBuck, of date October 18th, 1897.

No.6. Mr.Buck to Mr.Abercrombie, of date November 1st, 1897.

Enclosure No.I with Mr.Buck's No.62of date December 7th, I897.

(Copy of telegram)

Tokyo September 29, I897.

"Abercrombie, Consul,

"Nagasâki.

"No report received from you on water front lots.

"Send report soon as possible.

"Buck"

Enclosure No.2 with Mr. Buck's No.62 of date December 7, 1897.

(Copy of telegram)

Nagasaki, October 1st, 1897.

"Buck, Minister,

"Tokyo.

"No American interests involved. Do not protest.

"Will write.

"Abercrombie"

Enclosure No.3 with Mr. Buck's No.62 of date December 7, 1897.

No.1402.

Consulate of the United States,

Nagasaki, October 2nd, 1897.

Honourable Alfred E. Buck,

Envoy Extraordinary and Minister Plenipotentiary of the United States of America,

Tokyo.

Sir:

I have the honour to acknowledge the receipt from Your Excellency of the following telegram dated the 29th ultimo, but but on account of delay caused by interruption of the lines it was not received by me until the 1st instant:

"No report received from you on water front lots. Send "report soon as possible."

In reply to this I have sent the following telegram:

"No American interests involved. Do not protest. Will "write."

Permission was accorded by the Imperial Japanese Government to reclaim about 162 acres of land at the head of Nagasaki Harbour. A portion of the proposed filling in would shut off the sea front between Desima and the Custom House Jetty in the Foreign Settlement. Should this be carried out it would result in a depreciation of property now held by foreigners. At the meeting of the Consuls the following protest (Enclosure No.1, dated August 31st) was unanimously signed by the Consuls and forwarded to the Governor, to which the following reply was received (Enclosure No.2). A second protest (dated September 22nd, Enclosure No.3) was also forwarded to the Governor.

The property affected is held by French, Dutch, English, Chinese, and German citizens. The only American whose interests would be affected is Captain William Crighton who holds the

the contract with the JapaneseGovernment for the filling in of the land. He has informed me that his interests are not imperiled in either event. As Captain Crighton is looking forward to obtaining a larger contract from the Japanese Government for the reclamation of land at Kobe, and fearing to antagonize the Japanese authorities, he begs me to make no further protest.

Under these circumstances I deemed it unadvisable to inform Your Excellency until further steps should be taken by the Japanese authorities.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) W.H.Abercrombie,

U.S.Consul.

3 Enclosures as above.

(Copy) Nagasaki, August 31st, 1897.

Dear Sir:

We, the undersigned Consuls of the Treaty Powers residing in Nagasaki, have the honour to acknowledge the receipt of the identical dispatches, of the 17th instant, which you have addressed to us severally regarding the "Nagasaki Harbour Improvement Scheme".

Although we are fully aware of the benefit which the trade and shipping of Nagasaki are likely to derive from the execution of the proposed improvements, we feel it our duty to protest formally and unanimously against the filling up of the sea in front of Umegasaki and Desima, as this would deprive the holders of so-called water lots in those parts of the Foreign Settlement (Cf. Art. II of the Nagasaki Land Regulations, signed September 29th, 1860) of their right of sea frontage.

We have the honour to be,

dear Sir,

Your most obedient servants,

(Signed) Frederick Ringer, H.Belgian M.Consul.

" Joseph H.Longford, H.B.M's Consul and Acting Austro-Hungarian Consul.

" T.W.Chang, H.I.C.M's Consul.

" J.C.Smith, H.R.Danish M's.Consul.

" F.Steenackers, Consul Chargé du V.C. de France, Consul Honoraire des Pays Bas.

" F.Thiel, H.I.German M's.Acting Consul, in charge of Sweedish-Norwegian, and Italian Interests.

" Alfred B.Glover, Acting Vice Consul for Portugal.

(Signed)

(Signed) M.Oustinoff, H.I.R.M's.Acting Consul.

" H.G.del Castillo, His Catholic Majesty's Consul.

" W.H.Abercrombie, U.S.Consul.

(Copy) Nagasaki Kencho,

No.142. September 4th, 1897.

J.C.Smith, Esq., H.B.M's.Consul.

F.Ringer, Esq., H.Belgian M's.Consul.

T.W.Chang, Esq., H.I.C.M's.Consul.

Dr.W.H.Abercrombie, Esq., U.S.Consul.

F.Steenackers, Esq., French Consul and Acting for Netherlands.

Joseph H.Longford, Esq., H.B.M's.Consul and Acting Consul for Austro-Hungary.

H.G.del Castillo, Esq., H.C.M's.Consul.

F.Thiel, Esq., H.I.G.M's.Acting Consul in charge of Sweedish-Norwegian and Italian Interests.

M.Oustinoff, Esq., H.I.R.M'S.Acting Consul.

A.B.Glover, Esq., Acting Vice Consul for Portugal.

Nagasaki.

Gentlemen:

I have the honour to acknowledge the receipt of your letter dated the 31st ultimo, regarding the Nagasaki Harbour Improvement Scheme, in which letter you protest against filling up the sea in front of Umegasaki and Desima in the Foreign Settlement, as this, you state, would deprive the holders of water lots of their right of sea frontage, provided by Article II of the Nagasaki Land Regulations, signed September 29th, 1860.

I, however, beg to state that as the Article II of the Nagasaki Land Regulations above referred to simply regulates the value of buildings on water lots and rearage lots, and as no guarantee is provided in the said Regulations for maintenance of the water lots forever, in the same condition as they

were

were at the time when rented, I am of opinion that there is nothing to deprive the holders of those lands of the right of sea frontage.

Especially as you are fully aware that the present Scheme is a matter of public benefit, I now request that you will kindly give your assistance not to cause any impediment to the execution of the work.

I have the honour to be,

Gentlemen,

Your obedient servant,

(Signed) Y.Komatsubara,

Governor of Nagasaki Ken.

(Copy)

Nagasaki, September 22nd, 1897.

Dear Sir:

We have the honour to inform you that we have given our most careful attention to your letter of the 4th instant, addressed to us collectively, and it is with much regret that we feel compelled to protest once more unanimously and most strongly against the execution of the proposed harbour improvements without any consideration of the foreign land holders whose vested rights will be seriously and injuriously affected.

We are of opinion that the right of water frontage is legally secured to the holders of the front lots at Desima and Umegasaki by the specific terms of their Title Deeds and that it is our duty to claim that , preliminary to carrying out the proposed scheme, full equitable consideration be given to the interests of all foreign land holders immediately affected by it.

We therefore beg that you will be so good as to favour us with a categoric reply at your earliest convenience as to whether you admit the legal rights which we claim, and an assurance that these rights will be respected, failing which we shall be compelled to refer the matter to our respective national representatives in Tokyo.

We have the honour to be,

Dear Sir,

Your most obedient servants,

(Signed) Frederick Ringer, H.Belgian M's.Consul.

Joseph H.Longford, H.B.M'S.Consul and Acting Austro-Hungarian Consul.

(Signed)

(Signed) T.W.Chang, H.I.C.M'S.Consul.

" J.C.Smith, H.R.Danish M's.Consul.

" F.Steenackers, Consul Chargé du V.C.de France, Consul Honoraire des Pays Bas.

" F.Thiel, H.I.German M's.Consul, in charge of Sweedish-Norwegian, and Italian Interests.

" Alfred B.Glover, Acting Vice Consul for Portugal.

" M.Oustinoff, H.I.R.M's.Acting Consul.

" H.G.del Castillo, H.C.M's.Consul.

" W.H.Abercrombie, U.S.Consul.

Enclosure No.4 with Mr.Buck's No.62of date December 7, 1897.

No.23.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, October 9, 1897.

W.H.Abercrombie, Esquire,

United States Consul,

Nagasaki.

Sir:

In reply to my telegram of the 29th ultimo, asking you to report upon"water front lots", I beg to acknowledge the receipt of your telegram of the Ist instant,(which reads as follows, "No American interests involved. Do not protest. Will "write."); and also to acknowledge the receipt on October 7th of your report, per Dispatch No.1402 of date October 2nd with three enclosures; to wit,:- Ist a copy of a joint protest of the Consuls of all the treaty powers to the Governor of Nagasaki Ken; 2nd, a copy of the reply of the Governor; 3rd, a copy of a second joint protest of all the Consuls of the treaty powers.

My request by telegram to you for a report was made because of information coming to me some time ago from diplomatic representatives of other treaty powers here that you, with with Consuls of all such powers at Nagasaki, had joined in protesting to the Governor of Nagasaki Ken against the improvement of Nagasaki harbor, as damaging foreign land holders; and inquiry was also,made of me as to what report the United States Consul at Nagasaki had made to this Legation. Expecting from day to,day some report from you upon this matter, I

delayed

delayed calling for any report upon the subject.

Having joined with the Consuls of the other treaty powers in making protest as you did, I assumed that some property interests of American citizens were involvedin the scheme for the improvement of the harbour of Nagasaki. But whether the property interests or rights of American citizens, in your opinion were, or were not involved in the proposed harbour improvement, having joined in the protest, if such protest should not be effective, then diplomatic interference would, in my opinion, necessarily be invoked. Hence you will readily understand the reason for my calling by wire for a report, as also the necessity of promptly making a report to the Legation of all such cases, should any cases of a like character arise at any time within your jurisdiction, or cases of any character that might by any possibility result in invoking diplomatic action.

In the facts that you set out in your dispatch stating that "The property affected is held by French, Dutch, English, Chinese, and German citizens" and that "The only American whose interests would be affected is Captain Wm. Crighton, who "holds the contract with the Japanese Government for the fil-"ling in of the land" who informed you "that his interests are "not imperiled in either event", who "is looking forward to ob-"taining a larger contract from the Japanese Government for the "reclamation of land at Kobe, and fearing to antagonize tha Jap-"anese authorities, he begged me (you) to make no further pro-test". I do not see sufficient ground given for you to change your position already taken in signing the two protests; nor do I understand you to say that you propose to abandon your

position

position for the reasons given, though one might infer from your dispatch that you had the question under consideration.

I do not intend to say or to be understood as assuming that there is or that there is not a just ground for protest against the "Nagasaki Harbor Improvement Scheme". To arrive at a just conclusion upon that question, I should be first obliged to examine the terms and stipulations set out in the deeds to parties holding water front lots in the foreign settlement, as well as to know the condition of the concession of such settlement in Nagasaki, made by the Japanese Government, which latter I have already examined.

If because of serious injury to be inflicted on foreign land holders in their property rights in the foreign settlement, there is ground for protest against the proposed action to be taken on the part of the Japanese authorities at Nagasaki, as set out in the unanimous protests of the Consuls of the treaty powers, I entertain the hope and the confident belief that you will adhere to your position already assumed in your protest.

Of course if there should not have been and should not now be any reason for protesting, because of no injury to be done to the propertyinterests or vested rights of any American citizens, or because of no violation of any principle involved in the "Nagasaki Harbor Improvement Scheme" in support of which principle the United States may be interested, or because the scheme, if carried out, could not be made a precedent for a like scheme in other treaty ports, where injury to American citizens' rights might result in consequence, I can understand why you might suggest to me that I do not protest,

and

and also why you might yourself cease to protest further, but not for the reasons alone as cited in your dispatch.

I heartily approve of your giving consideration in any proper way to the interests of Captain Crighton, or to any American citizens in all matters, but, in so doing, you will, of course, as I have herein before suggested, be careful not to put yourself in the position of aiding thereby in the establishment of a bad precedent which possibly might result in embarrassing complications in the future, or yield any principle that might in any way be involved.

I shall await with interest your report upon the further development of the case. Hoping that the controversy over the question of property rights involved in the "Harbour Improvement Scheme" at Nagasaki will be amicably settled to the satisfaction of all parties at interest, without the necessity of any diplomatic interference,

I am, Sir,

Your obedient servant,

(Signed) A.E.Buck.

Enclosure No.5 with Mr. Buck's No.62 of date December 7th, 18

(Copy)

Consulate of the United States,

Nagasaki, October 18th, 1897.

Honorable Alfred E. Buck,

Envoy Extraordinary and Minister Plenipotentiary of the

United States of America.

Sir:

I have the honour to acknowledge the receipt of your communication of the 9th instant in regard to "Harbour Improvement Scheme" at this port.

In explanation of my failure to place the matter sooner before Your Excellency, I would state that the answer to the second protest of the Consuls was not received at the German Consulate until October 9th, and by some delay at the German Consulate copy of answer which I herewith enclose (Enclosure No.I) was not received by me until the 15th instant.

I deemed it unadvisable, therefore, to appeal to you until such answer should be received. I am of opinion that the action of other Consuls in submitting the question for settlement to their respective Diplomatic Representatives before the close of correspondence with the local authorities, though showing admirable foresight and prudence, was somewhat hasty, for had the reply of the Governor to the last protest expressed a willingness to grant compensation to owners of water front lots, all necessity for submitting the matter for diplomatic settlement would have been rendered unnecessary. Both protests were made by me after careful consideration upon the assumption

ion that should the contemplated filling in of land in front of water lots be permitted, proper and equitable compensation should be made to holders of said lots for loss of water frontage, it being claimed that thereby the lots would suffer depreciation in value. I also felt it my duty to place myself on record in case that at some future time American interests here or elsewhere might be jeopardised in a similar manner, I see no reason to regret my action. Through the faulty wording of my telegram to Your Excellency an erroneous impression was conveyed to you , that I regretted having taken the action I did in the matter . In said telegram I merely wished to suggest that nothing further should be done until I had an opportunity of presenting the facts and whole correspondence in the matter, for such action as Your Excellency deemed advisable.

I enclose herewith (Enclosure No.2) copy of a letter from Captain William Crichton dated October 4th, 1897.

I have the honour to be

Sir,

Your obedient servant,

(Signed) W.H. Abercrombie,

U.S. Consul.

Copy. No.166.

Nagasaki Kencho,

October 8th, 1897.

Gentlemen:

I have the honour to acknowledge the receipt of your letter dated the 22nd ultimo, in which you desire me to inform you in respect to the execution of the proposed harbour improvements, as you hold an opinion that the right of water frontage is legally secured to the holders of the front lots of Desima and Megasaki as to whether I admit the legal rights you claim and an assurance that those rights will be respected.

I beg to state in reply that no right whatever in regard to the water frontage has been granted or secured to the landholders in the title-deeds at Desima and Megasaki.

I have the honour to be,

Gentlemen,

Your obedient servant,

(Signed) Y.Komatsubara,

Governor of Nagasaki Ken.

Nagasaki, October 4th, 1897.

My dear Doctor Abercrombie:

Regarding the Harbour Improvement Scheme at this port, I may state that I am decidedly in favour of filling in between the Custom House and Desima Point, as apart from the fact of the machinery all being imported from America, I regard that part of the harbour in its present state as a menace to the health of the community, as the stench at low tide is all but unbearable, and under such circumstances I fail to see how the water front property would depreciate. The object of all Europeans, or I should say Foreigners, residing here is to establish trade with their respective countries, and as there is a very large amount of machinery to be imported for other extensive works in Japan, from America, I think it would be ill in our Government to oppose the Japanese in the improvement of any part of their harbour, more especially as no American citizen is interfered with.

Yours very sincerely,

(Signed) Wm.Crichton.

Enclosure No.6 with Mr. Buck's No.62 of date December 7, 18

LEGATION OF THE UNITED STATES,

Tokyo, November 1, 1897.

W.H. Abercrombie, Esquire,

United States Consul,

Nagasaki.

Sir:

I have to acknowledge the receipt of your communication of date October 18th last, and to state that the explanation of the action taken by you in the Nagasaki sea-front case is satisfactory.

I am, Sir,

Your obedient servant,

(Signed) A.E. Buck.

DIPLOMATIC,
DEC 30 1897
BUREAU.

2D ASSISTANT SECRETARY,
Ack & file. asg
DEC 30 1897

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OF STATE

LEGATION OF THE UNITED STATES.

Tokyo, Japan, December 8, 1897.

Acka Jan 5/98

3rd. ASST. SECRETARY
DEC 29 1897

Honorable Alvey A. Adee,

Assistant Secretary of State,

Washington.

Dear sir:

I beg to acknowledge the receipt of your personal and unofficial letter, date of November 10th, and enclosed slip from the "San Francisco Bulletin", in respect to a publication in the "Japan Weekly Times" of date October 9th, relating to some propositions of the Minister of the Greater Republic of Central America to Mr. Hoshi, Japanese Minister in Washington, who were then negotiating a treat y between their respective countries, to embody in this treaty certain provisions relating to the Nicaragua Canal, which were rejected by Mr. Hoshi.

In response to your request I enclose herewith copy of the publication in the "Japan Times" referred to, which consists of quotations from the New York "Herald" and an editorial upon the subject. Though I had seen the publication when it appeared, in the "Japan Times", I did not know at the time the attitude in opposition to the passage of the Nicaragua Canal Bill assumed by the Minister of the Greater Republic of Central America" and, supposing that the Department was fully advised as to the truth of any such statement appearing in the New York "Herald", I did not regard it necessary to call the attention of the Department to matters as otherwise I should have done.

Upon inquiry at the Foreign Office here, I am informed that, while negotiations ~~negotiations~~ for a treaty were pending between the Governments of Japan and the Greater Republic of Central America, Mr. Hoshi submitted the proposition that Japan should enjoy on equal terms with other nations all rights to the use of the Nicaragua Canal should that work be completed. It was replied that as special concessions had been made to the United States in consequence of undertaking the construction of waterway, it was impossible that other powers should enjoy equal privileges with that nation. Mr. Hoshi then on behalf of his Government

Government disclaimed any intention of asking for rights equal to those secured to our country , but made clear that his proposition looked only to the privileges and rights which other maritime states in like position with Japah might enjoy: in other words, reciprocal treatment. It was these preliminaries that prompted the inquiry, made by the representative of the Greater Republic, whether Japan would agree to, or guarantee the neutrality of the Canal, which was promptly met with the reply that Japan did not care to incorporate in the treaty any clause relating to the Canal that had not been agreed to in principle by all other maritime powers. The inquiry of the representative of the Greater Republic was so general in nature and the intention of Japan not to consider it so firmly fixed that no effort was made by Mr. Hoshi to learn what was intended by the term "Neutrality". In fact the matter seemed of so little importance to the Japanese Government that the incident would have been forgotten but for the publication of the sensational article in the New York "Herald", above referred to.

Very respectfully,

A.E. Buck

A.E. BUCK

JAPAN AND THE NICARAGUAN CANAL.

(*The Japan Times*, Saturday, October 2.)

It is simply surprising how assiduous and unscrupulous is a section of the American press to disseminate, at Japan's expense, sensational information for the purpose of exciting sympathy for the cause of Hawaiian annexation. The columns of a small paper like this would not suffice to take notice of every canard manufactured on the other side of the Pacific. But we may make a brief reference to the latest instance of the kind, partly because it is published in one of the most widely read journals, and partly because it is calculated to produce very misleading and mischievous impressions about Japan's attitude on an international question of great importance which has no connection whatever with the Hawaiian business.

The *New York Herald's* Washington dispatch, dated September 1, contains the following statements:—

> Japan, not content with its interference with President McKinley's Hawaiian annexation policy, now has designs upon the Nicaraguan canal. According to the semi-official advices just received here from Nicaragua, the Japanese Government is secretly negotiating with the Diet of the Greater Republic of Central America, which recently met in Salvador, for the construction of the Nicaraguan canal, independently and in defiance of the interests and influence of the United States or other nations. This action of Japan, taken in connection with her recent attitude in regard to Hawaiian annexation, is of great significance, showing as it does, to the authorities, that there is no limit to the ambition of the island nation, and that her aggressive policy may yet get her into trouble with the United States. That the Administration will resent any interference with the Nicaraguan canal projects, as it did in the case of the Hawaiian annexation treaty, goes without saying. If Japan can encompass it, according to Nicaraguan advices received here, she would like to obtain the abrogation of all treaty rights possessed by the United States in relation to inter-oceanic transit, and the forfeiture of the American canal concession from Nicaragua, and to immediately make a treaty with the Diet of the Greater Republic of Central America, giving her control of the canal route through Nicaragua. In the negotiations Costa Rica has not been consulted, it being well known she would not assent to a violation of the treaty rights.

All this big talk about Japan's "designs upon the Nicaraguan canal," "the ambition of the island nation," and "her aggressive policy," may be eminently calculated to create prejudice against this country, and to strengthen the hands of the annexationists. But, we need scarcely say, there is not the smallest grain of truth in it; it is a mere trick in the interest of a political faction.

It is, however, conceivable that the original manufacturers of the story, whoever they may be, may have had access to some information about one or two stages in the negotiations that are now going on at Washington between the Representatives of Japan and the Greater Republic of Central America for the conclusion of a treaty between the two countries, information which they have unscrupulously turned to their own account at the expense of truth and of Japan. We, therefore, consider it worth while to lay before the public reliable facts about the course and purport of the pending negotiations between the two countries.

The number of Japanese subjects resorting to Central American states being on the increase, the Imperial Government deemed it advisable for their protection to enter into treaty relationship with those countries. Accordingly, instructions were sent a few years ago to Mr. Tateno, at that time our Representative at Washington to open negotiations with the Nicaraguan Minister in that city for the conclusion of a treaty. The negotiations were commenced, but soon had to be postponed, owing to the outbreak of serious troubles in Nicaragua. The sole object of Japan being to secure the protection of her subjects residing in that country, the question of the Nicaraguan canal did not enter into her mind, and the proposed treaty had no reference to it. Things were in this state, when, after the establishment of the Greater Republic of Central America, treaty negotiations were reopened with the Representative of that State in Washington by our present Minister, Mr. Toru Hoshi. At a certain stage of the negotiations, the Representative of the Greater Republic of Central America proposed that a provision be introduced into the treaty, bearing upon the Nicaraguan Canal. It is not necessary to describe the exact nature of the proposed provision. *It is sufficient for present purposes to state that the proposition came from the other side, and that it was rejected by the Japanese Representative.* Japan has always been willing to do whatever lies in her power in the interest of peace and humanity; but she has no desire to commit herself to any course of action that may result in unnecessary interference with the interests of other Powers. She has no objection to do for the Greater Republic of Central America whatever the other Powers interested likewise may be willing to do for her. Such being her view of the matter, it is evident that under the existing circumstances, she did not think herself justified in agreeing to the proposal in question.

From what has been stated, it will have been observed that Japan's attitude with regard to the Central American Republic's overture about the Nicaraguan Canal has throughout been fair and straightforward. Japan may have cause to look for the satisfaction, if not approval, of her conduct on the part of the United States. She has certainly done nothing to merit gross and unjust misrepresentation at the hands of the American people. It is a matter for sincere regret that the exigencies of a political faction,—however urgent they may be from an American point of view—should so far prevail over the sense of fairness and justice among a large section of American politicians, as to degrade them to the base and cowardly trick of the persistent misrepresentation of Japan's motives and sentiments.

DIPLOMATIC,
JAN 6 1898
BUREAU.

RECEIVED.
DEC 20 1897
BUR. ACCOUNTS. DEP. OF STATE.

No. 63.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, December 8, 1897.

INDEX BUREAU
REC'D.
29 DEC 1897
DEPT. OF STATE

Acked Jan. 6/98 Ker
E. and file.

Mr. Buck

to the Secretary of State.

Subject:

Repairs on Legation Property.

No. 63.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 8, 1897.

Honorable John Sherman,

Secretary of State,

Washington.

S i r:-

I have the honor to acknowledge the receipt of the Department's instruction No. 46, date of October 27th, in respect to my despatch No. 45, of October 1st, relating to the damage done the Legation buildings, fences, tree etc. by the typhoon of September 9th, and stating that the Department awaits my promised fuller report with an estimate of the cost of repairs to the Legation

At the time of writing my despatch, it seemed that it would be necessary to build an entire new fence around the compound and interior fences also, and to make extensive repairs to the buildings, which would cost more than could possibly be paid from the contingent fund and by the balance that might remain of the $400 for improvements and repairs asked for per my despatch No. 14 of July 26th, and allowed by instruction of the Department No. 22, of date August 17th, which sum would not wholly be exhausted for the specific purposes as estimated by me. By reason of the high prices of labor and materialshaving postponed getting estimates of cost of repairs, and finding that prices were still kept up, I looked about to see if such repairs could be made as would do for a

a time, without a special appropriation for that purpose and concluded that, with what balance of the $400 I should have after making the authorized expenditures-(If I expended nothing upon the flag-staff, which, strange to say, withstood the typhoon)- and by using some of the contingent fund in addition, I could probably meet the necessary cost. Hence I did not put in an estimate as I otherwise should have done. I have now nearly completed such repairs as were immediately necessary and find that with the remainder of the $400 allowed, and by paying something out of the contingent fund, I shall be able to meet the expenses.

The fence surrounding the compound is now repaired and, though quite rotten in parts, and not what it should be, I trust that it will answer the the purpose for a year or two. The cost of a new wooden fence, very high, like the present one, would be probably some $1500 gold. Perhaps, when the time comes that a new fence around the compound must be built, it can be done cheaper, unless it should be thought best to build a permanent one of such character and of such material as the property should have. The flag-staff will necessarily have to be supplied with a new top mast and should be removed, but in the emergency of making other and immediate repairs, I have used the proportion of the $400 allowed for that purpose in other directions.

In the near future, I expect to put in an estimate for a heating apparatus and perhaps for other permanent improvements and repairs.

I have the honor to be,

Sir,

Your obedient servant,

H. E. Buck

No. 64.

2D ASSISTANT SECRETARY,
To Secy of War for his information & files.
DEC 29 1897
Ack with gratification

DEC 29 1897
BUREAU.

INDEX BUREAU
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DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 8, 1897.

Robt and
To Sec of War.
Dec 30/97

Mr. Buck

to the Secretary of State.

Subject:

Recent military manoeuvres in Kyushu; courtesies extended to the Military Attaché of this Legation, etc.

No.64.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 8, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to inform you that very successful military manoeuvres were held by a portion of the Japanese Army in the Island of Kyushu, lasting three days— from the 17th November last. Bt.Lieut.Colonel Rice, Military Attaché of this Legation, attended them at the invitation of the Japanese authorities, being entertained upon the occasion, with the most marked attention and courtesy. Lieut.J.T.Kerr, United States Army, who happened to be in Japan at the time, was also invited to attend the manoeuvres and was treated with the same generous hospitality.

I have the honor to enclose my Note No.40, of date the 27th ultimo, transmitting to the Minister of Foreign Affairs, a letter expressing the thanks and high appreciation felt by myself and these officers by reason of the kindnesses extended to them, and requesting him to forward it to Count Takashima, the Minister of War. I also enclose Baron Nissi's Note of the 30th ultimo, stating that the letter of thanks had been forwarded to the Minister of War.

I have the honor to be, I

Sir,

Your

I have the honor to be,

Sir,

Your obedient servant,

W. C. Buck

Enclosures:

No.I. Mr.Buck to the Minister of Foreign Affairs, Note No.40, of date November 27th, I897.

No.2. The Minister of Foreign Affaiss to Mr.Buck, of date November 30th, I897.

Enclosure No./ with Mr.Buck's No.64 of date December 8th,1897.

(Copy)

No.40.

LEGATION OF THE UNITED STATES,

Tokyo, Japan November 27, 1897.

His Excellency

Baron Nissi Tocziro,

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

I have the honour to enclose herewith, unsealed, a communication addressed to His Excellency the Minister for War, thanking him for the courtesies so kindly extended to Bt.Lieut. Colonel Rice, Military Attaché of this Legation, and Lieut. J.T.Kerr, also of the United States Army, during the recent military manoeuvres in the Island of Kyushu.

I have the honour to request that if convenient, the letter may be forwarded to the Minister of War by Your Excellency.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) A.E.Buck.

Enclosure:

An unsealed cover addressed to H.E.Viscount Takashima, H.I.J.M's.Minister of War.

LEGATION OF THE UNITED STATES,

Tokyo.

His Excellency

Viscount Takashima,

His Imperial Japanese Majesty's

Minister for War.

Sir:

I have the honor and pleasure to acknowledge to Your Excellency the great courtesy extended to Bt.Lieut.Colonel Rice, Military Attache of this Legation, and to Lieut.J.T.Kerr, also of the United States Army, in according them every facility possible in witnessing the recent manoeuvres of the Japanese troops in the Island of Kyushu. Both of these officers have expressed to me their high appreciation of the marked attentions and honors done them, and the great pleasure it was to them to have the opportunity to observe the manoeuvres so efficiently and successfully carried out.

Your Excellency may be assured that my Government, when informed of the opportunities granted these officers, and the generous provision made for their entertainment while in a attendance upon the manoeuvres, will much appreciate the kindness and courtesies extended.

Please accept, Your Excellency, the assurances of my highest consideration.

(Signed) A.E.Buck.

United States Minister.

November 27, 1897.

Enclosure No. 2 with Mr. Buck's No. 64 of date December 8, 1897.

(Copy)

Department of Foreign Affairs,
Tokyo, the 30th day, the IIth month,
the 30th year of Meiji.

His Excellency
Alfred E. Buck,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.

Monsieur le Ministre:

I have the honor to acknowledge the receipt of Your Excellency's Note No. 40, of the 27th instant, requesting me to transmit Your Excellency's letter addressed to the Minister of War, thanking for the courtesies extended to Lieutenant Colonel Rice, Military Attaché of your Legation, and Lieutenant J.T. Kerr, also of the United States Army, during the recent military manoeuvres in Kyushu.

I beg in reply to state that the letter has been at once forwarded to the Minister of War.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) Baron Nissi Tocziro,
Minister for Foreign Affairs.

65 DEC 29 1897

2D ASSISTANT SECRETARY,
Treaties to Library to be bound.
Ack with thanks
DEC 29 1897

No. 65.

INDEX BUREAU REC'D. 29DEC1897 DEPT. OF STATE

BUREAU OF ROLLS & LIBRARY DEC 30 '97 DEPARTMENT OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 8, 1897.

Recd Jan 4 98

Mr. Buck,

to the Secretary of State .

Subject:

Transmitting copies of recent Japanese treaties with other powers.

Treaties in Library - A.H.B.

BUREAU OF ROLLS & LIBRARY DEC 30 '97 DEPARTMENT OF STATE

No. 65

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 8, 1897.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

In reply to your Instruction No.50, of date the 3rd ultimo, requesting me to procure if possible and transmit to the Second Secretary of State a collection of all the recent commercial treaties of Japan negotiated on the lines of the British - Japanese treaty and of the treaty with the United States, I have the honor to forward herewith, under separate cover, a set of the new treaties as far as published, and append a list of the same on the over-leaf.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

LIST OF NEW JAPANESE TREATIES.

I. Treaty of Commerce and Navigation with Great Britain.
2. Do " Italy
3. Do " Peru
4. Do " Russia
5. Do " Denmark
6. Do " Brazil
*7. Do (and Consular Convention) " Germany
8. Do " Sweden and Norway
†9. Do " " " Belgium
IO. Do " China
II. Do " The Netherlands
I2. Treaty of Amity, Establishment and Commerce with Switzerland
I3. Treaty of Friendship and General Intercourse with Spain
I4. Treaty of Commerce and Navigation with Portugal .

Note.- The treaty with the United States is not included in the above list. Treaties with Chili, France and Austria-Hungary have been signed, but ratifications have not yet been exchanged.

*6a. Treaty of Commerce & Navigation with Germany
†8a. " " " " " " Belgium

(The foregoing are among the treaties with the despatch; but are omitted in the list. AHD

BUREAU OF ROLLS & LIBRARY DEC 30 DEPARTMENT OF STATE

No. 66.

INDEX BUREAU
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1898 JAN 7
DEPT. OF STATE

2D ASSISTANT SECRETARY;
Copy to the Secy of Navy -
Ack & file.
JAN 8 1898

DIPLOMATIC,
JAN 8 1898
BUREAU.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 14, 1897.

Ack'd and
to Navy Dept
Jan 10/98

Mr. Buck

to the Secretary of State.

Subject:

Enclosing copy of second correspondence on the subject of the saving by the U.S.S. "Boston" of three Japanese sailors.

No. 66.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 14, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

Referring to my Dispatch No. 29 of date September 13th, last, forwarding correspondence on the subject of the saving by the U.S.S. "Boston" on July 29th of three Japanese sailors, I have the honour to enclose herewith copies of the following correspondence upon the same subject:

1) Baron Nissi to Mr. Buck, of date November 9th, 1897.
2) Mr. Buck to Baron Nissi, of date November 16th, 1897.
3) Mr. Buck to Captain Wildes, of date December 13th, 1897.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosures:

Three, as above.

No. 66.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 14, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

Referring to my Dispatch No. 29 of date September 13th, last, forwarding correspondence on the subject of the saving by the U.S.S. "Boston" on July 29th of three Japanese sailors, I have the honour to enclose herewith copies of the following correspondence upon the same subject:

1) Baron Nissi to Mr. Buck, of date November 9th, 1897.

2) Mr. Buck to Baron Nissi, of date November 16th, 1897.

3) Mr. Buck to Captain Wildes, of date December 13th, 1897.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosures:

Three, as above.

Enclosure No.I with Mr.Buck's No.66of date December I4th,I897.

(Copy)

No.48. Department of Foreign Affairs,

Tokyo, the 9th day, the IIth month

the 30th year of Meiji.

His Excellency

Alfred E.Buck

Envoy Extraordinary and Minister Plenipotentiary

of the United States of America.

Monsieur le Ministre:

I have received the following report from the Governor of Oita-ken:

On the 29th of July last, while "Unohu-Maru", a Japanese junk, was in the most perilous condition in the strong gale and heavy seas about 5 sea miles off Kazamoto-minato in the Island of Iki, her crew observed a large ship coming towards them. Seeing the imminent danger they tried hard to avoid the collision, but in vain, the junk instantly struck that large ship. Her mast was broken and her hull sustained a great damage. Then the large ship stopped and told them to come on board. As soon as they got on board, the junk went down. The large ship was found to be the United States man-of-war "Boston" which after having rescued Shudo Yasokichi and his two sons, i.e. the crew of "Unohi-Maru", treated them very kindly on board and delivered them to the Imperial Japanese Consul at Chefoo, China, where she arrived on the 6th of August. Thus they were enabled to get their home safely.

It is entirely due to the benevolence and kind treatment of the Captain of "Boston", that Shudo Yasokichi and his two

sons

sons were saved on the point of their imminent danger, and consequently I request Your Excellency to be good enough to convey to the Captain of "Boston" the expression of high appreciation and sincere thanks for his benevolent act.

I avail of this occasion to express to Your Excellency the assurances of my highest consideration.

(Signed) Baron Nissi Tocziro,

Minister for Foreign Affairs.

Enclosure No.2 with Mr.Buck's No.66 of date December 14th, 1897

(copy)

No.37.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, November 16, 1897.

His Excellency

Baron Nissi Tocziro

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

I have the honor to acknowledge the receipt of Your Excellency's Note No.48, of date the 9th instant, supplementary to His Excellency Count Okuma's Note No.36, of September 3rd last, in which you communicate to me the substance of a report from the Governor of Oita-ken to the effect that on July 29th last the "Unohi-Maru", a Japanese junk, was in a most perilous condition in a severe gale off the Island of Iki; that a collision occurred between the junk and the U.S.S."Boston", soon after which the junk sank; and that the crew , consisting of Shudo Yasokichi and his two sons, were rescued, kindly treated and afterwards delivered to the Imperial Japanese Consul at Chefoo, China, by which the ship-wrecked men were enabled to reach their home in safety.

It gives me the greatest satisfaction to know that the officers and men of the "Boston" were able to render this assistance to the sufferers, and I shall take an early opportunity to convey to the Captain of that vessel the appreciation

and

and sincere thanks which Your Excellency has so cordially expressed.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) A.E.Buck.

Enclosure No.3 with Mr.Buck's No.66 of date December 14th,1897

(Copy)

No.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 13, 1897.

Captain Frank Wilder, U.S.N.

Commanding U.S.S."Boston"

Sir:

I have to enclose herewith copy of a Note of date November 9th, 1897, from His Excellency Baron Nissi Tocziro, H.I.J. M:s.Minister for Foreign Affairs, (supplementing Count Okuma's Note of September 3rd last, copy of which I enclosed with my Dispatch No.15, of date September 4th, last,) in which His Excellency communicated to me the substance of a report from the Governor of Oita-ken telling of the saving by the "Boston" on July 29th, last, of three Japanese sailors and of their safe return home; and requested me to convey to you expressions of his high appreciation of and thanks for your benevolent act. I enclose also copy of my reply thereto.

Copy of the correspondence will be forwarded to the Department of State.

I am, Sir,

Your obedient servant,

United States Minister.

Enclosures:

No.1. Copy—Baron Nissi to Mr.Buck, of date November 9th, 1897.

No.2. Copy—Mr.Buck to Baron Nissi, of date November 16th, 1897.

Enclosure printed in Review of Reviews Commerce 1896-7

DIPLOMATIC
JAN 8 1898
BUREAU.

No. 67.

INDEX BUREAU REC'D 1898 JAN 7 DEPT. OF STATE

Ack by output

Acknowledged Jan 10/98 C.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 16, 1897.

Mr. Buck

to the Secretary of State.

Subject:

Enclosing duplicate clippings from the Japan Mail of December 16th 1897, being Count Matsukata's memorandum on the economic condition of Japan.

No. 67.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 16, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose herewith for the information of the Department a clipping, in duplicate, from the Japan Mail of december 10th, 1897, being a translation of a memorandum upon the subject of the economic condition of Japan given out by Count Matsukata, Prime Minister and Minister of Finance, in reply to a deputation of the Merchants' and Manufacturers' Association which waited on him with reference to the difficulties of the present financial situation and the means by which the Government might ameliorate it.

I have the honor to be,

Sir,

Your obedient servant,

N. E. Buck

Enclosure:

Clipping in duplicate from the Japan Mail, as above.

Enclosure with Mr. Buck's No 67, Dec. 16, 1897 /.

COUNT MATSUKATA'S MEMORANDUM.

We published on Wednesday a *resumé* of Count Matsukata's reply to a deputation of the Merchants' and Manufacturers' Association which waited on him with reference to the financial situation. The Minister having reduced his views to writing, it is now possible to lay them, *in extenso*, before our readers. We proceed to do so, at the same time acknowledging some indebtedness to the *Japan Times*, with regard to the translation of the first part of the Memorandum :—

There exists between social phenomena, especially economical, a relation so close that to separate any one of them and examine it independently is likely to lead to deceptive results. Hence, in examining the economic condition of Japan, it is necessary to take account of the vicissitudes of the public finance ; above all in view of the fact that the *post bellum* undertakings of the Government constitute one of the causes of the present economic disturbance.

As the result of the war of 1894-5, which was an affair of unprecedented magnitude for this country, the public expenditure, which had hitherto been about 80,000,000 *yen*, increased to 190,000,000 *yen* in the 29th fiscal year (1895-96). and in the next year to 250,000,000 *yen*. Moreover, in order to meet the exigencies of the war, a sum of over 130,000,000 *yen* was taken from the floating capital of the nation in the form of a War Loan, and devoted to purposes other than productive, the inevitable result being that the purchasing power of the masses was suddenly increased. On the one hand, in order to meet the increase in the ordinary expenditure of the Government, various taxation measures were introduced in the ninth session of the Diet, namely, the Business Tax (estimated to yield 7,500,000 *yen*), the Leaf Tobacco Monopoly (10,000,000 *yen*), the Registration Tax (6,000,000 *yen*), and the *Saké* Tax Amendment (9,000,000 *yen*). On the other hand, large items of extraordinary expenditure were required for the manufacture of arms, am munition, and warships, the construction of barracks, the erection of offices and stores connected with the Tobacco Monopoly, the building of Naval Depôt Offices, and so forth. These items footed up to such a sum that, after employing all the money raised by the War Loan, it was necessary to bring over a part of the Indemnity. Even then a deficiency still existed. The extraordinary expenditures actually exceeded the ordinary, and, in addition, the outlays on account of Formosa proved much larger than had been anticipated. The money required up to the time when the island was placed under civil administration in March, 1897, reached over 30,000,000 *yen*. The sum needed for the 29th fiscal year (1896-97) was 22,000,000 *yen*, while that of the current fiscal year is put at 24,000,000 *yen*. Then again, the fund for the Encouragement of Navigation, originally estimated at about 1,000,000 *yen*, had to be raised to over 6,000,000 *yen*. Thus it has been necessary for the Government to provide appropriations much larger than those originally fixed.

In presenting the Budget for the current year to the Diet in its tenth session, the necessity of providing a large extraordinary revenue to meet the expenditures caused much anxiety. The plans that had already been settled could not to be hastily altered, and only a very brief interval had elapsed since my assumption of office. Under these circumstances, I considered that the heavy responsibilities of my office would best be discharged by pursuing a policy of gradual adjustment. What caused special anxiety at that time was the raising of loans. The amount of loans that had to be floated in order to meet the requirements of the increased armaments and other *post bellum* measures, was 8,000,000 *yen* in the 29th fiscal year (1896-7), 60,000,000 *yen* in the 30th fiscal year (1897-8), and 49,000,000 *yen* in the 31st fiscal year (1898-9). Whether the resources of the people would permit the raising of such large sums, was a point very difficult to determine. The only thing that afforded some solace was the fact that the sums to be raised would show a gradual decrease after the 31st fiscal year, and would cease altogether with the 36th year (1903-4). Persuaded, then, that no course offered except to maintain the *post-bellum* schemes of finance, despite the addition they involved to the pressing burden of the nation, I adopted that policy. But the action of the Diet in the tenth session led to a decrease in the revenue, namely, 1,300,000 *yen* by the amendment of the Registration Tax, and some 2,300,000 *yen* by the abolition of contributions to the warship construction fund by Government officials. Moreover, the actual yield from the Business Tax shows a decrease of 2,000,000 *yen* as compared with the estimate. Similarly, the income from the tobacco monopoly may show a decrease of over 3,000,000 *yen*, because, owing to the delay in putting into operation the new Tariff, the importation of foreign manufactured tobacco tends to increase. Thus, while increased outlay is necessary on account of Formosa and the Encouragement Bounties, the revenue shows considerable reduction. Further, owing to the rise in the prices of commodities, any considerable reduction of the administrative expenses is not possible. In short, the management of the public finances at the present juncture is no light task, whoever be placed in control of them.

Shall we, then, alter the *post-bellum* programme which received the universal consent of the nation in the ninth session of the Diet, and shall we adopt the policy of reducing the military expansion? This question was undoubtedly worthy of serious consideration before the scheme of expansion was approved by the Diet in its ninth session. But to introduce a change in the national policy at the present juncture not only would be prejudicial to the credit of the country, but is also inadmissable under the circumstances of the time. Even supposing that a reduction of the scheme of military expansion were undertaken, the economy thereby effected would be found to be smaller than is imagined, the greater part of the programme having been already carried out.

How, then, is the discrepancy between the expenditure and income of the State to be adjusted? No one that has the real and permanent interest of the country at heart will approve the adoption of a temporizing policy, such, for instance, as the appropriation of the fund set apart for purposes of armaments expansion, or the postponement of the period of the redemption of loans, or the raising of a new loan. Of these expedients, that of meeting the deficiency by borrowed money is particularly objectionable, as its effect would be to aggravate the origin of the malady. Its immediate result might possibly be to alleviate the suffering, but a relapse to the old state would be inevitable, especially as the floating of a loan in the present condition of the home and foreign markets seems to offer little prospects of success. It might not be altogether impossible to obtain the required amount, if the loan were issued at a low rate ; but the result of withdrawing a further sum from the nation's capital fund would impair the progress of productive undertakings, and would at all events be followed by a sudden depreciation of even the best securities, thereby increasing still more the embarrassment now experienced by a section of the industrial world.

Under these circumstances, it is beyond dispute that the only course to be pursued is to increase the taxes. If recourse were had to the creation of new taxes, it would take some time before their incidence could be equitably arranged, and moreover, the multiplication of taxes producing small yields not only causes confusion but is disadvantageous to both Government and people. The sources on which we can rely for the future increase of income are only the Land Tax and the *Saké* Tax. Not only is the Land Tax the principal source of revenue in this country, but also, there is reason to believe that the price of rice will be maintained at about 10 *yen* per *koku* as the result

of the adoption of the gold standard. It is but reasonable, therefore, that a certain increase should be made in the amount of agrarian taxation. As to the *Saké* Tax, an increase was only recently effected, but since the burden does not fall on the shoulders of those who pay the tax, it cannot be asserted that they are unable to bear a further increase. Besides, the increased income of the lower classes in consequence of the rise of various industries and undertakings has been followed by an increased consumption of *saké*. The quantity brewed this year, for instance, shows an increase over that of last year, notwithstanding the fact that the incidence of taxation was raised since 1896. It therefore seems justifiable to effect a further increase in this tax, at the same time taking steps to exercise proper checks upon the brewing of liquor for family consumption, and to correct any other circumstances that tend to decrease the demand for *saké*. It has to be borne in mind, too, that the increase of these taxes will have the effect of reconverting into capital the money now distributed among the lower classes, and also of checking the growth of luxurious habits of living. A further result of the proposed taxation will be to avert any increase of burdens upon those engaged in productive industries. I believe that these measures will prove of no small benefit to the national economy. If the tax-payers sacrifice their self-interest for the sake of the permanent good of the country, and if the Diet be impartial enough to give consent to these taxation measures, an addition of about 20,000,000 *yen* will easily be made to the Revenue. If, also, the revision of the Treaties be carried out as anticipated, it will be practicable to put the new Tariff into operation from July, 1898, the consequence of which will be an addition of 7 or 8 million *yen* to the Revenue, and by effecting some improvement in the method of levying the Business Tax and managing the Tobacco Monopoly, while, at the same time, the tax paying capacities of the people improve, a general augmentation of the public revenue may be not unreasonably expected. Even the adjustment of household economy requires time: how much more must that be the case with regard to the reform of national finance? If both Government and people be united, if no errors of procedure be made, if the difficulties of the situation be patiently encountered, and if the exigencies of the time be recognized, there is no reason to fear that the *post-bellum* measures can not be consummated though the effort will be severe, especially since, unless unforeseen emergencies arise, the volume of the extraordinary expenditures will gradually decrease, and the difficulty experienced in drawing up yearly estimates will proportionately diminish. If it be alleged that the people's resources are not adequate to bear an increased burden of 20,000,000 *yen*, the question would be different. But if not, I am convinced that the best course under the existing circumstances is an increase of taxation.

This expansion of the *post-bellum* finance has led to an increase of various works under the Government, and these, supplemented by a general development of private industries, have produced great disturbance in the economic condition of the country. One of the most conspicuous consequences has been a sudden and extraordinary increase of the purchasing power of the people. This circumstance, together with the fall of silver, has brought about an unprecedented rise of prices. Believing that such an abnormal rise of prices was injurious to a healthy and permanent economic development of the country, the Government carried out the monetary reform, so that the national finances might be placed on a sound basis. Since then, there have been constantly accentuated fluctuations in the price of silver. It dropped at one time from 29 pence as far as 23 pence per ounce, and rose again to 27 pence. Although these fluctuations have not ceased, our foreign exchanges have remained almost invariable since the coming into operation of the new monetary system. As a consequence, almost unprecedented activity is noticeable in the silk trade. It was urged by the opponents of the monetary reform that under the new system our silk trade would be stolen from us by China; but the point of chief importance in foreign trade being stability of exchange, there does not appear to be any sign of our silk trade's being invaded by China. Altogether our export and import trade has made rapid progress. It is true that imports continue to be in excess, but it must be borne in mind that the excess is in a large measure caused by the purchase of machinery and raw material, which will in course of time materially contribute to increased production and export. There is, therefore, nothing in the condition of our foreign trade to cause any anxiety. The depreciation of silver has caused more or less disturbance in our export of cotton yarns to China and other silver countries, but the disturbance will subside with the cessation of exchange fluctuations (*kawase hendo no shizumaru to tomo ni kwaifuku subeshi*). Not only that, but since we shall be able to buy raw material cheaply from silver-using countries, our temporary loss will be compensated. Already, indeed, there are signs that trade with these countries is beginning to recover. As to the redemption of silver *yen*, no large sums have been presented for exchange such as were foretold by some excited persons. Not only has the amount exchanged not yet reached the estimated limit, but there is even a tendency toward the coming in of foreign gold.

It is a matter of public knowledge that more or less inconvenience is felt at present in the field of national economy, the prices of commodities having been forced up by a sudden increase of the people's purchasing power, the prices of shares having depreciated owing to the fever for new enterprises, and the demand for capital having produced a tightness in the money market. Three remedies only suggest themselves in such a situation. They are:—

(1) To refrain from interference and leave matters to right themselves.

(2) To raise the rate of interest and reduce the volume of the currency.

(3) To increase the volume of the currency and satisfy the demand for capital.

It is essential that economical plans should not be based merely on theory. One of the above three courses has to be selected and vigorously pursued. But before fixing upon a future policy in a matter of such great importance, we have to consider the causes that have brought about the present state of affairs; we have to examine the state of society; and we have to take care that we are in touch with the time. The origin of the present malady seems to consist in:—

(1) An increase of the people's purchasing power.

(2) A sudden development of industrial fever.

(3) Deficiency of capital for various enterprises.

These seem to be the only causes. It follows, therefore, that the objects upon which attention must be fixed are the utmost possible reduction of all unproductive expenditures, apart from the outlay on account of armaments which are essential to the very existence of the State; the prosecution of efforts on all sides to restrain purely speculative enterprises; the provision of capital to meet the needs of profitable undertakings; the adoption of measures such as shall avert undeserved misfortune from necessary enterprises that have already been established or are on the point of being established, to say nothing of new schemes; and the protection of the general credit against disturbance. To consummate these aims we have to ask for the cōoperation of the Diet in several matters of which the following are the most important:—

The work of revising the Treaties with France and Austria-Hungary has made rapid progress and the exchange of ratifications may take place during the year. That being the case, it is necessary that the Diet should lose no time in giving its assent to the new Codes which are essential to the operation of the Treaties in 1899. Without that assent, the new Treaties can not go into operation; a result that would be humiliating to the country in the eyes of the world. Not that alone, but if

the Treaties become operative, the new Tariff also will go into force, as already explained, bringing an increase of public revenue; the present extravagant expenditures of the people will receive some check, and—which will appear much more important to many people—facilities for the inflow of foreign capital will be afforded, to the great profit of the country. It is a matter of course that foreign capitalists should hesitate to invest any large amount of money in Japanese industries under treaties that impose so many restrictions as the present do. A market was indeed found abroad for a considerable quantity of Loan Bonds, after the introduction of the gold standard; and even before the Revised Treaties go into operation there will be more or less demand in foreign markets for Government Bonds and for the shares of trustworthy companies, especially those of the Industrial Bank, which give their holder a right to a part of the profits. Still, so long as the present Treaties remain in force, foreign capital is not likely to come in large quantities. It is thus plain that the Diet's consent to the remaining parts of the Codes in its next session is almost an essential step towards supplying the future demand for capital. Some people affirm that the Government's credit should be pledged for the purpose of bringing in a large sum of foreign capital, but such precipitate devices, conceived in the interest of individuals, are to be avoided as much as possible; for it must not be forgotten that they involve a serious risk of causing economical disturbance, and that foreign capital, unless wise measures be adopted for introducing it, may produce effects the reverse of beneficial. Briefly speaking, unless an occasion offers for obtaining foreign capital in a suitable way and employing it in productive enterprises, its introduction may produce incalculable disturbance, may bring about a panic, and may simply have the effect of augmenting the borrowers' burdens without contributing anything to their advantage. If order be introduced into the State finances, if the national economy be firmly based, if credit be sound and if the fiscal system be duly arranged, capital will come to us without our going in search of it.

In the next place, were a redundant currency responsible for the appreciation of the prices of commodities, some reduction of the volume would doubtless be necessary. Now, speaking in terms of the new gold coin for convenience of comparison, the volume of hard money in circulation in June 1890 was over 330 million *yen*, whereas the volume in circulation in June of the current year was about 300 millions. Again, the paper money of various kinds in circulation at the end of 1894 aggregated 185 million *yen*, and at the end of last month (Nov.) it aggregated 215 millions. Thus there has been no marked expansion of volume. Even if there had been more or less increase, it certainly could not be held entirely responsible for the appreciation of prices, in view of the augmented demand for currency produced by industrial development, and of the fact that no small quantity of coin has gone to Korea, to China, and to Formosa. The only trouble is that the ownership of the currency has changed. It has gone out of the hands of productive manufacturers and passed into the possession of the labouring classes—no less than eighty thousand men are employed upon one branch of works—and of the consuming classes. To collect it and bring it within reach of productive enterprises is of prime importance at present. For that purpose, it is proposed to issue public bonds of small denominations, so as, on the one hand, to increase the supply of capital available for industrial purposes, and, on the other, to promote a spirit of thrift among the people. Thus not only will relief be afforded to the present stringency of the money market, which is due not so much to the want of capital as to its defective circulation, but the purchasing power of the labouring classes will be somewhat diminished and the interests of the producing classes promoted.

Nothing conduces so much to economic progress as credit and confidence. At present, however, issues of convertible notes in excess of the legal limit has become an ordinary occurrence. Business men live in constant apprehension lest the Bank of Japan should raise its rate of interest, a state of affairs very far from being conducive to the development of enterprises the maintenance of which presents any difficulties. The reason that a necessity arises for thus exceeding the ordinary limits is that the point fixed by the present Convertible Note Regulations, namely 85 million *yen*, is too low, especially in view of the fact that large quantities of cheap money are needed for the purpose of foreign bills of exchange. It consequently appears necessary to effect some amendment of the present Convertible Bank Note Regulations.

All the above projects call for the enactment of new laws or the revision of those now in force, and can not, therefore, be carried out without the cōoperation of the Diet. If, on the other hand, that cōoperation be obtained, I believe that the condition of the national economy will be greatly improved and the present embarrassments removed. If may possibly be questioned whether this programme is not inspired by a desire to increase the volume of the currency. By no means. Is it to be supposed that the error would be committed of needlessly swelling the currency and thus producing an appreciation of the price of commodities? This point was elaborated more than once in connexion with the change of the monetary standard. It is governed by the same considerations that forbid as highly injurious such proceedings as the sudden introduction of a large quantity of foreign capital or the investment of money in vast enterprises without making any inquiry into their nature or soundness. It is sufficient to promote profitable enterprises and to provide necessary capital. I can not possibly agree with those that advocate an increase of the volume of the currency. Nay more, I consider that every effort should be made to restrain extravagant enterprises and to maintain sound and profitable undertakings, and that nothing is more to be avoided than the production of a new access of industrial fever by suddenly augmenting the circulation. At the same time, I am fully sensible of the great injury that may be caused by running to the other extreme of contraction, and thus causing the failure of profitable enterprises and destroying credit. It is necessary to avoid both extremes, that of restraint and that of impulse, and to strive after the happy mean.

Finally, there is one point demanding close attention. This is a time of demand. Care is therefore taken that the resources of supply shall not fall behind. The fact that machinery and raw materials are being vigorously imported is well known. But demand will gradually grow less hereafter, and if producers, carried away by the prosperity of the moment, take no precautions and fail to reduce supply in due proportion, they may be overtaken by embarrassment greater than that now suffered by one class of industrials owing to the decline in the market price of shares. It is most desirable that manufacturers and bankers should unite in adopting precautionary measures, so as to guard against the evil of excessive supply. For the purpose of averting that great calamity, leading business men should agree to subject to the severest scrutiny all new projects, and should be content to devote their strength to the consummation of such undertakings only as can be certainly trusted to mature. There may be cases at present in which the temporary suspension of projects involves more or less difficulty; but to shrink back to-day is to stretch out to-morrow, whereas to advance recklessly now may mean complete ruin hereafter. Arguments of this kind may perhaps be called inconsequential, since they have no connexion with any of the three propositions advanced above. But to be guided by mere rules, to attach prime importance to quibbles of irresponsible controversy, to apply moribund principles to living economical society with all its changing phases, is not merely to stultify oneself but also to incur the risk of working grievous injury. Thus, though the general policy of the Government is positive, it will, at the same time, be an object to restrain anything

hurtful, to encourage everything profitable, above all and before all to prevent failures, and to promote general economic progress. It must not be forgotten that this is a time demanding the sacrifice of selfish considerations and personal aims, the circumspect avoidance of rash enterprise and steady advance in safe directions.

2D ASSISTANT SECRETARY,
For Senate Resolution July 17. 1897.
Ack & file.
JAN 7 1898

DIPLOMATIC,
JAN 8 1898
BUREAU.

No. 68.

INDEX BUREAU
REC'D.
1898 JAN 7
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokio, Japan, December 17, 1897.

Sent to Senate Feby 14

Mr. Buck,

to the Secretary of State.

Subject:

Revised regulations of telephone exchanges.

No. 68.

LEGATION OF THE UNITED STATES,

Tokio, December 17, 1897.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my despatch No. 52, of date November 9th, last, transmitting a report on the telegraphs, telephones and postal savings banks of Japan, I have the honor to enclose herewith a translation copy of the revised regulations of the telephone exchanges, promulgated by the Minister of State for Communications on the 1st instant.

I have the honor to be,

Sir,

Your obedient servant,

W. W. Buck

Enclosure:

Translation copy of revised telephone regulations of December 1, 1897.

COPIED.

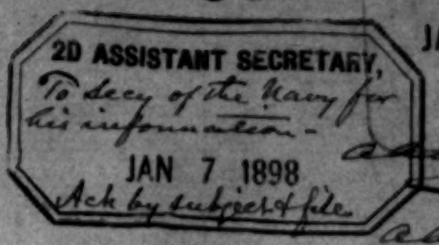
DIPLOMATIC,

JAN 7 1898

BUREAU.

No. 69.





LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 17, 1897.

17
Acked and
To Navy Dept.
Jan 8/98

Mr. Buck

to the Secretary of State.

Subject:

Frank Epps, an apprentice belonging to the United States Flagship "Olympia" murdered at Nagasaki by Japanese boatmen. Enclosing correspondence with Rear Admiral McNair on the subject.

No. 69.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 17, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose herewith reading of a cipher telegram of date the 14th instant, received by me from Rear Admiral F.V.McNair, Commanding the United States Naval Force on the Asiatic Station, by which he informed me of the murder at Nagasaki by Japanese boatmen of Frank Epps, an apprentice belonging to the flagship "Olympia"; stated that adequate measures for the apprehension of the criminals apparently were not being taken by the local authorities; and requested me to bring the matter before the Japanese Government.

I accordingly had an interview with Baron Nissi, the Minister for Foreign Affairs, in the course of which I learned that the Foreign Office had already been in communication with the authorities at Nagasaki, by whom one suspected person had been arrested and others were being searched for. Baron Nissi further informed me that, since I had presented the case, special instructions would be issued to the authorities at Nagasaki.

I

I have the honor to enclose, also, copy of my telegraphic reply to Rear Admiral McNair, of date the I5th instant; and of my Dispatch No.40, of date the I6th instant, informing him of the result of my interview with the Minister for Foreign Affairs, and requesting him to inform me circumstancially, should there hereafter be any evidence of a lack of purpose , on the part of the local authorities, to bring the guilty to justice.

I have the honour to be,

Sir,

Your obedient servant,

J. E. Buck

Enclosures:

No.I. Rear Admiral McNair's telegram to Mr.Buck, of date December I4th, I897.

No.2. Mr.Buck's telegram to Rear Admiral McNair, of date December I5th, I897.

No.3. Mr.Buck's Dispatch to Rear Admiral McNair, of date December I6th, I897—all copies, as above.

Enclosure No.I with Mr.Buck's No.69 of date December I7th, I897

(Reading of telegram—copy)

[14?]

Nagasaki, December I2, I897.

"Buck, Minister,

"American Legation,

"Tokyo.

"Frank Epps, apprentice of Olympia, murdered by Japanese "boatmen. Local authorities apparently taking no adequate meas- "ures to discover criminal. Similar case of murder of Yorktown "man last September still unpunished. Request that matter be "brought before Japanese Government. Report of inquest mailed "to you. Have telegraphed Navy Department.

"McNair"

Enclosure No.2 with Mr.Buck's No.69 of date December 17th, 1897.

(Copy of telegram)

Tokyo, December 15, 1897

"Admiral F.V.McNair,

"Nagasaki.

"Telegram received. Action will be taken as requested.

"Buck"

Enclosure No.3 with Mr.Buck's No.69 of date December 17th, 1897.

(Copy)

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 16, 1897.

Rear Admiral F.V.McNair,

Commanding Asiatic Squadron,

Flagship "Olympia",

Nagasaki, Japan.

Sir:

In pursuance of your telegram of December 14th, relating to the murder of Frank Epps, and the apparent want of adequate measures' being taken ~~to being taken~~ to discover the criminals, which I acknowledged by wire yesterday, I have had a personal interview with H.I.J.M's. Minister for Foreign Affairs, Baron Nissi, and presented the matter as requested by you. I learned that the Foreign Office had already been in communication with the authorities at Nagasaki in respect to the arrest and punishment of the perpetrator or perpetrators of the crime and that by a dispatch received at the Foreign Office yesterday, it was learned that one suspected person had been arrested and that one or more others were being looked for, and I was informed that in consequence of my presentation of the matter the authorities in Nagasaki would be specially instructed upon the subject.

After a suficient time has passed to see what effect, if any, is produced by the instructions from the Foreign Office

to

to the authorities at Nagasaki, should there appear to be evidence on the part of the authorities of a want of purpose to discover and punish the murderer or murderers, I will thank you to address me again, giving all the information necessary, tending to show that fact, as ground for a further communication with the Minister for Foreign Affairs. I hope, however, that there will be no necessity for another interview with him upon the subject.

I am, Sir,

Your obedient servant,

(Signed- A.E.Buck.

DIPLOMATIC

COPIED.

DEC 28 1897

DEPT. OF STATE

BUREAU. DEC 22, 4.31 PM 1897

TELEGRAM RECEIVED IN CIPHER.

20 ASSISTANT SECRETARY, To Secy of Navy. Confirm. DEC 23 1897

From Tokio, Dec. 22, 1897.

Sherman,

Washington.

December 21. I had an interview with the Japanese Minister for Foreign Affairs December 16th. He has taken action in consequence and informs me arrest of suspected murderer of seaman Olympia. No report of Yorktown case to this Legation until now.

Buck.

C.C.

DIPLOMATIC BUREAU.

JAN 2[illegible] 1898

2D ASSISTANT SECRETARY,
Ack addressed to Consular Bureau.
JAN 24 1898

INDEX BUREAU
RECD.
24 JAN 1898
DEPT. OF STATE

No. 70.

LEGATION OF THE UNITED STATES.

Tokyo, Japan, December 28, 1897.

Acted
Jan. 28/98.
C

Mr. Buck

to the Secretary of State.

Report filed in Consular Bureau.

Subject:

Consular Service of Japan.

DIPLOMATIC,
JAN 26 1898
BUREAU.

No.71.

INDEX BUREAU
RECD
24 JAN 1898
DEPT. OF STATE

Sent to the Senate 1/26

LEGATION OF THE UNITED STATES,

[illegible], Japan, December 28, 1897.

DESPATCHES, JAPAN, VOLUME 71

Depsatch No. 70 of December 28, 1897 and enclosures thereto, noted as being filed in the "Consular Bureau", were received from the Department of State on September 6, 1939 as an addition to Accession No. 85, Part 1.

See series entitled: "Reports Concerning Foreign Consular Establishments" (envelope no. 17 labeled "Japan").

Mr. Buck

to the [illegible]

Subject :

Forwarding correspondence on the subject of the murder of Epps, apprentice of the OLYMPIA, and of a member of the YORKTOWN'S crew, both at Nagasaki.

DIPLOMATIC,
JAN 1898
BUREAU

No.71.

INDEX BUREAU
RECD
4 JAN 1898
DEPT. OF STATE

Sent to the Senate

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 28, 1897.

Mr. Buck

to the Secretary of State.

Subject :

Forwarding correspondence on the subject of the murder of Epps, apprentice of the OLYMPIA, and of a member of the YORK-TOWN'S crew, both at Nagasaki.

No. 71.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 28, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to your instructions by cable received on the 22nd instant and my reply thereto by cable on the same day,- relating to the murder of the Apprentice of the OLYMPIA, flagship, and of a seaman of the YORKTOWN (readings of which are given herewith) , I have the honor to state, in addition to my despatch No. 69, of date the 17th instant, that on the 18th of this month I received a despatch from Admiral McNair enclosing a copy of the "Proceedings of the Inquest" upon the body of Epps, the Apprentice of the OLYMPIA, and also referring to the case of the murder of a seaman of the U.S.S.YORKTOWN, and the want of the arrest of the murderer; that I transmitted a copy of the "Proceedings" with a note to H.I.J.M's. Minister for Foreign Affairs, Baron Nissi, calling his attention to the evidence brought out at the Inquest, in reply to an informal note from the Foreign Office giving information of the arrest of one suspected person (copies of which notes and "Proceedings of Inquest" I enclose herewith); and that on the 21st instant I received another despatch from Admiral McNair giving further particulars and circumstances of the murder of the Apprentice of the OLYMPIA and the action taken by the local

authorities,

authorities (a copy of which I also, enclose herewith).

Upon the receipt of your instructions by cable, and the first dispatch of Admiral McNair, as above stated, I sought an interview with Baron Nissi, which was had on the 23rd instant. In the course of the discussion of the two cases of murder of seamen at Nagasaki, I was informed by the Baron that he had had no previous information of the murder of the seaman of the YORKTOWN, but would inquire into the matter and see what, if anything, could now be done to secure the arrest and punishment of the murderers. In respect to the murderer of the apprentice of the OLYMPIA, he stated that he had no further information than that given me by his note of the I8th instant. In reply to the statement that my Government had called upon me for a report on these two cases of murder and to urge that prompt and effective steps be taken to arrest and punish the murderers and also to my statement that the Admiral was of the opinion that there was a want of proper and energetic effort on the part of the local authorities to discover and arrest the guilty parties, the Baron expressed much interest in the matter and said that he would do what he could to cause the murderers' arrest and conviction and seemed to be earnest in his purpose to urge upon the authorities of Nagasaki the necessity of vigorous and intelligent efforts' being made in the discharge of their duty in these cases.

Before taking leave of the Baron I handed him a copy of a note which I had prepared upon the subject, as embodying in writing more accurately, perhaps, what I had stated to him in substance. He appeared to be pleased to receive it , giving me the assurance that he would give me whatever information he could touching the results of steps taken looking to the

he could touching the results of steps taken looking to the arrest and prosecution of the criminals, of which he might be advised. I herewith enclose a copy of my note.

I shall report further as the information I receive may require. That the Department may be in possession of the complete correspondence up to the present time, in this case, I also enclose copies of the following:

Rear Admiral McNair's Dispatch No.206-M, of date December I4th, I897, to Mr.Buck.

Mr.Buck's Instruction No.43, of date December 22nd, I897, to Mr.Abercrombie, U.S.Consul at Nagasaki.

Mr.Buck's Dispatch No.46, of date December 27th, I897, to Admiral McNair.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosures:

No.I. Reading of Department's cipher telegram, of date December 20th, I897.

No.2. Reading of Mr.Buck's replying cipher telegram to the Department, of date December 22nd, I897.

No.3. Mr.Buck to Baron Nissi, Note No.43 of December 20th, I897.

No.4. Mr.Mitsuhashi to Mr.Buck, of December I8th, I897.

No.5. Admiral McNair to Mr.Buck, No.206-M, of December I4th, I897.

No.6.

No.6. Mr.Buck to Baron Nissi—Note No.45, of December 23d, I897.

No.7. Admiral McNair to Mr.Buck, of date December I8th, I897.

No.8. Mr.Buck to Mr.Abercrombie, of December 22nd, I897.

No.9. Mr.Buck to Admiral McNair, of date December 27th, I897.

Enclosure No. 1 with Mr. Buck's No. 71 of December 28, 1897.

Reading of Department's cipher telegram of date December 20, 1897.

Washington, December 20, 1897.

Buck,

Minister, Tokyo.

Report what action taken in regard to murder of seamen of Yorktown and Olympia. Urge prompt and effective steps to detect and punish murderers.

SHERMAN.

Buck

Enclosure No. 2 with Mr. Buck's No. 71 of December 20, 1897.

Reading of cipher telegram to the Department of date December 22, 1897.

Tokyo, Dec. 22, 1897.

Sherman,

Washington.-

Dec. 22. I had an interview with the Japanese Minister for Foreign Affairs, December sixteenth. He has taken action in consequence, and informs me arrest of suspected murderer of seaman Olympia. No report of Yorktown case to this Legation until now.

BUCK.

Enclosure No.3 with Mr.Buck's No.71 of December 28, 1897.

(Copy)

No.43.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 20, 1897.

His Excellency

Baron Nissi Tocziro

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

I have the honor to acknowledge the receipt of Mr.Mitsuhashi's note of the 18th instant, sent by Your Excellency's direction, kindly informing me of the contents of a telegram from the Governor of Nagasaki Ken, in respect to the alleged murder of Frank Epps, apprentice, of the United States Ship OLYMPIA, in which telegram it is stated "that one person has "been arrested in connection with the OLYMPIA apprentice case; "that he stated that the apprentice on his way to the man-of-"war jumped out of the boat and drowned himself; but that as "there are suspicious circumstances he has been handed over to "the Court of Justice."

As the telegram from the Governor implies his belief that the apprentice must have caused his own death by jumping from the boat, having now received a copy of the Proceedings of the Inquest upon the body of Epps, I have the honor to enclose it herewith for Your Excellency's information. From these Proceedings it seems to be conclusive that the apprentice was murdered and hence the Governor must be in error as to the facts ~~as to the facts,~~ presuming, of course, that the evidence

adduced

adduced upon the Inquest is the truth.

Thanking Your Excellency for the earnest attention you have given to this matter and for so promptly conveying to me the information contained in the telegram of the Governor of Nagasaki Ken,

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

'Signed) A.E.Buck.

Enclosure No. 4, with Mr. Buck's No. 71 of December 28th, 1897.

(Copy)

Foreign Office,

Dec. 18th, 1897.

My dear Minister:

I am directed by the Minister for Foreign Affairs to inform Your Excellency that he has just received a telegram from the Governor of Nagasaki Ken in reply to the telegram he dispatched as arranged in the recent interview with you, to the effect that one person has been arrested in connection with the OLYMPIA apprentice case; that he stated that the apprentice on his way to the man-of-war jumped out of the boat and drowned himself; but that as there are suspicious circumstances he has been handed over to the Court of Justice.

I remain,

Yours truly,

M. Mitsuhashi.

Enclosure No. 5 with Mr. Buck's No. 71 of December 28th, 1897.

(Copy)

No. 206-M.

United States Naval Force on Asiatic Station,
Flagship OLYMPIA, Nagasaki, Japan,
December 14th, 1897.

Sir:

I have the honor to transmit, for your information, a copy of the record of the proceedings and findings of a Board of Inquest convened by my order on board this vessel on the 13th instant, in the case of the late Frank Epps, apprentice, first class, U.S.Navy, of the U.S.Flagship OLYMPIA.

From the evidence adduced by the Board, it is clear that Epps was the victim of murder committed in the harbor of Nagasaki on the night of the 12th instant, by a person or persons on board a sampan in which he was embarked for passage from the shore to the ship.

Immediately upon the discovery of the murder of Epps, the facts were laid before the United States Consul at this port, with the request that they be brought to the notice of the local Japanese authorities; later, certain police officials came aboard the OLYMPIA and appeared to be instituting an investigation; but, notwithstanding this, the local officials have so far failed to take any energetic action in the case, and I am confirmed in the belief that no adequate measures are being taken to discover the criminals. The time of Epps' taking the sampan can be established almost to a minute, which, together with the fact that the man was a negro, affords a ready means of identifying the boatmen, if due exertion were made by the

police

police.

I am led to take vigorous action in this case because of the fact that William Montgomery, a member of the crew of the U.S.S.YORKTOWN, was murdered in this harbor under similar circumstances on or about the night of September Ist last, and that, thus far, his murderers have not been discovered or brought to punishment.

I have therefore had the honor to send you, today, the following telegram: which I hereby confirm;- Nagasaki, December I4, I897.--- (Cipher telegram).....

Very respectfully, your obedient servant,

(Signed) F.V.McNair,

Rear Admiral, U.S.Navy,

Commanding U.S.Naval Force on Asiatic Station.

The Honorable

The Envoy Extraordinary and Minister Plenipotentiary

of the United States,

Tokyo, Japan.

(One Enclosure)

Mint

COPY.

U. S. Flagship OLYMPIA,

NAGASAKI: JAPAN,

DECEMBER 15,1897.

PROCEEDINGS OF A BOARD OF INQUEST ASSEMBLED BY ORDER OF REAR ADMIRAL F. V. MCNAIR , COMMANDING U.S.NAVAL FORCE ON ASIATIC STATION, ON THE THIRTEENTH DAY OF DECEMBER,1897,IN THE HARBOR OF NAGASAKI,JAPAN, ON THE BODY OF FRANK E^PS, APPRENTICE, FIRST CLASS, U.S.NAVY.

b

Mut

At a board of inquest assembled by order of Rear Admiral F. V. McNair, commanding U. S. Naval Force on Asiatic Station, on the thirteenth day of December, 1897, in the harbor of Nagasaki, Japan, on the body of Frank Epps, apprentice, first class, U. S. Navy, found dead.

Present:

Lieutenant Stokely Morgan, U. S. Navy, President.
Passed Assistant Surgeon J. E. Page, U. S. Navy, Member.
Ensign W. P. Scott, U. S. Navy, Member and Recorder.

The order convening the board was read and appended to the record, and the board having viewed the body, proceeded to take the following evidence:

William Kiddie appeared before the board and in answer to questions gave the following evidence: I am the second mate of the British ship SAINT ENOCH lying in the harbor of Nagasaki, Japan. About 8:15 last night, December 12th, I heard cries for help from a sampan. I sent immediately, then ran up on the poop and watched it. I think the sampan was about two hundred yards from the ship off the port quarter. I saw three men in a sampan struggling; I saw one of them pick up an oar or boat hook and strike at one of the others, and at the same time the third and the first man pushed the one struck at overpoard. I heard cries of help again and "Oh God", and then all was quiet. The sampan came around the bows of our ship and I then ran forward and picked up a big lump of coal and threw it at him. I started to get into a sampan and follow them but they then put out their light and I lost track of them. The boat I sent out as assistance found a cap marked U.S.F.S.OLYMPIA and "F.EPPS", but could not find any body.

Question. Could you see if he caught hold of the sampan after he was pushed over?

Answer. I don't think he did. I think he went right down after calling for help again.

Witness then showed the board the position of the three persons in the sampan, after which he withdrew.

William Cameron, apprentice, appeared before the board and gave the following testimony: I am serving on board the British ship SAINT ENOCH at Nagasaki, Japan. Last night about 8:15, I heard souffling in a sampan which lasted for about three minutes. The second mate sent a man to see about it, and then I heard a splash and then cries for help and quite plainly "Help! Help! Oh God!" The men in the sampan then pulled away quickly around our bows and down the harbor. They put their light out and I lost track of them.

The witness then withdrew.

H. P. Mattson appeared before the board and gave the following testimony: I am serving on board the British ship SAINT ENOCH at Nagasaki, Japan. Last night, December 12th, about 8:15, I was coming aboard from liberty, and before getting alongside I heard someone puffing in the water, but paid no attention to it, as I thought it was someone in

swimming. When I got on board the second mate told me to get into a sampan and see what the matter was in a sampan near us. Just then I heard the cries for help and the words "Help! Oh God!" When I got to the spot I saw two men in a sampan sculling away, but found no one in the water. I found a cap with the Olympia's cap ribbon on and the name "Epps" inside. I saw the the sampan men put their light out-- they pulled up the harbor. They were pulling as hard as they could.

Question. How long was it from the time you heard the puffing in the water until you heard cries for help?

Answer. I think it was four or five minutes.

Question. Was the puffing that you heard in the water near to the sampan from which later you heard cries for help?

Answer. Yes it was alongside of the sampan.

William Kiddie re-appeared before the board and gave the following additional testimony:

Question. Are you certain that the man who was pushed out of sank almost immediately?

Answer. Yes. He made one or two more cries for help but after that all seemed over.

Question. Was Mattson on board when you saw the man pushed out of the sampan?

Answer. Yes.

E. F. Taylor, apprentice, first class, U.S. Navy, appeared before the board and gave the following testimony: I was with Epps yesterday, December 12th, from 2:30 until about 8 p.m. I left him at the regular creek landing, he jumped into a sampan and I said goodbye to him, he called out to the sampanman "Olympia". He was sitting on top of the cabin with his feet hanging inside. I saw the sampan shove off and start out towards the Olympia. I had seen him take several drinks but when he got into the sampan was, in my opinion, sober, and able to take care of himself. He had no cuts on his face when I left him, when he got into the sampan. So far as I saw there was only one sampanman in the sampan although there may have been one in the cabin.

Question. Did he have any money or show any?

Answer. I saw him with one five dollar bill and several one dollar bills and some small change. He said that he had a cheque but I don't know whether he had it with him or not.

J. Scoggins, Seaman, U. S. Navy serving on board the U.S.S. BOSTON, was called before the board and gave the following evidence:

Question. Were you with Epps yesterday?

Answer. Yes.

Question. What time did you leave him?

Answer. About 5:30 p.m.

Question. How long had you been with him?

Answer. Since about 2 p.m.

Question. While he was with you did he have any altercation with anyone?

swimming. When I got on board the second mate told me to get into a sampan and see what the matter was in a sampan near us. Just then I heard the cries for help and the words "Help! Oh God!" When I got to the spot I saw two men in a sampan sculling away, but found no one in the water. I found a cap with the Olympia's cap ribbon on and the name "Epps" inside. I saw the the sampan men put their light out-- they pulled up the harbor. They were pulling as hard as they could.

Question. How long was it from the time you heard the puffing in the water until you heard cries for help?

Answer. I think it was four or five minutes.

Question. Was the puffing that you heard in the water near to the sampan from which later you heard cries for help?

Answer. Yes it was alongside of the sampan.

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Question. Are you certain that the man who was pushed out of sank almost immediately?

Answer. Yes. He made one or two more cries for help but after that all seemed over.

Question. Was Mattson on board when you saw the man pushed out of the sampan?

Answer. Yes.

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Question. Did he have any money or show any?

Answer. I saw him with one five dollar bill and several one dollar bills and some small change. He said that he had a cheque but I don't know whether he had it with him or not.

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Question. Were you with Epps yesterday?

Answer. Yes.

Question. What time did you leave him?

Answer. About 5:30 p.m.

Question. How long had you been with him?

Answer. Since about 2 p.m.

Question. While he was with you did he have any altercation with anyone?

Answer. Yes, a slight row with a peddler, but it did not amount to anything.

Question. Did the peddler hit Epps?

Answer. No.

Question. When you left him did Epps have any cuts or bruises on his head or face?

Answer. No none at all; if he had I would have seen them.

The witness then withdrew.

J. Weir, Coxswain, U. S. Navy, appeared before the board and gave the following evidence:

Question. State what you know in regard to the death of F. Epps

Answer. I was sent out from this ship in a cutter about 1:30 p.m. to-day, December 13th, with grapnels to drag for his body. I was told by one of the sailors of the Saint Enoch about where his hat had been picked up last night. After a half an hour I located the body but could not get it with my grapnels. A Japanese was close by dragging also and I called to him to give me a hand, and we then got him up., There was a cut over his left eye, but it was not bleeding.

The witness then withdrew.

Passed Assistant Surgeon J. E. Page, U. S. Navy, U. S. F. S. OLYMPIA, states that in his opinion the deceased met his death by drowning having previously been struck a blow over the left eye of sufficient force to produce insensibility.

The proceedings are here closed.

The board, from a view of the body, and from the evidence before it, is of the opinion that Frank Epps, apprentice, first class, U. S. Navy, was murdered by some person or persons unknown, in the following manner, viz- that he left the shore in a sampan about 8 P. M. of December 12th, and during an altercation in the sampan before reaching the ship, he was shoved overboard by two persons unknown and was drowned. We also find that he was struck a blow over the left eye by some blunt instrument causing a contused wound, two inches wide by one inch high, which, in our opinion was sufficient of itself to cause death.

The board is of the opinion that the death of Frank Epps was occasioned in the line of duty.

SIGned.

Stokely Morgan, Lieutenant USS. Navy, President.

J. E. Page, P. A. Surg. U. S. Navy, Member.

W. Pitt Scott, Ensign U. S. Navy, Member and Recorder.

Enclosure No. 6 with Mr. Buck's No. 71 of December 24, 1897.

(Copy)

No. 45.

LEGATION OF THE UNITED STATES,

Tokyo, December 23, 1897.

His Excellency

Baron Nissi Tocgiro,

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

Referring to the matter of my interview with Your Excellency on the 16th instant, and your subsequent note through Mr. Mitsuhashi, and also my acknowledgement thereof in enclosing a copy of the "Proceedings of the Inquest" upon the body of Frank Epps, apprentice of the United States Flagship OLYMPIA, I have the honor to make known to Your Excellency that I have received a cablegram from my Government, inquiring what action had been taken in regard to the murder of Epps; and also the same as to the murder of a seaman of the United States Ship YORKTOWN committed on or about the night of September 1st last — both at Nagasaki.

I also received, on yesterday, a letter from Rear Admiral McNair, of the United States Flagship OLYMPIA, in which he states that two persons have been arrested for the murder of Epps, upon the assumption that he was returning from Inasa, on the western side of the harbor, though the proof shows clearly in the proceedings of the Inquest that Epps spent the afternoon and evening of that day on the eastern, or Nagasaki side, of the harbor, and embarked about 8 P.M. from the Sagarimatsu Hatoba for his ship, which, considering that he was murdered a few minutes after 8P.M., made it quite improbable, if not

impossible

impossible, that he could have been at Inasa at any time that day. It would seem that the fact of Epps being a negro and therefor distinguishable from other sailors, the exact time of the embarkation at Sagarimatsu being established upon the Inquest, and the system of assigning fares in succession to the sampanmen at the stand, would render it possible to identify the sampan in which Epps took passage and lead to the prompt arrest of the criminals.

No official communication having come to the Legation until now in respect to the murder of a seaman of the United States Ship YORKTOWN, I have had no occasion heretofore to bring the matter of the failure to arrest the murderer or murderers to Your Excellency's attention, which I now take the liberty to do, knowing that, so far as lies within Your Excellency's power, everything will be done, that should be to attain the ends of justice in this case as well as in the case of the murder of the apprentice of the OLYMPIA.

Any further information that Your Excellency may find it consistent to communicate to me, at any time, in respect to what action has been or may be taken by the authorities of Nagasaki Ken will be highly appreciated and will enable me, I trust, to make to my Government such reports as will give full satisfaction.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) A.E.Buck.

Enclosure No.7, with Mr.Buck's No.71 of December 28, I897.

(Copy)

No.2I4-M.

United States Naval Force on Asiatic Station,

Flagship OLYMPIA,

Nagasaki, Japan,

December I8, I897.

Sir:

Referring to my letter (No.206-M) and telegram ,both of the I4th instant, informing you of the murder of Frank Epps, apprentice, first class, U.S.Navy, in the harbor of Nagasaki, on the night of the I2th instant, and of the fact that, in my opinion the local authorities were not taking adequate measures for the apprehension of the criminals, I have the honor to inform you that I have this day received from the United States Consul at this port a letter, of which a copy is enclosed, stating that the Consul has been informed by the Chief Superintendent of Police of the arrest of two men; the letter of the Consul further quotes the statement of the Superintendent that "the fact has become clear that the affair happened while on the way of Epps returning to his flagship, the OLYMPIA, in their sampan which he took from Inasa at about 8P.M. on the I2th instant."

From the information furnished the Consul it therefore appears that the police are proceeding on the assumption that Epps took passage in a sampan at Inasa,(on the western side of Nagasaki harbor),at 8P.M. on the I2th instant, while it has been proved conclusively that he spent the afternoon and ev-

ening

ening of that day on the eastern or Nagasaki side of the harbor and embarked, at about 8P.M., in a sampan from the Sagarimatsu Hatoba, with the intention of proceeding directly to his ship; this, together with the fact that Epps was known to have been murdered, a few minuted after 8P.M., near the eastern shore, renders it in the highest degree improbable, if not actually impossible, that he could have, at any time that day, been at Inasa.

I have suggested to the Consul the expediency of pointing out these facts to the Governor of Nagasaki Ken. Epps being a negro, and therefor distinguishable from other sailors; the exact time of his embarkation at Sagarimatsu being established and the system of assigning fares in succession to the sampanmen on the stand, (well known to every policeman and every boatman), rendering it possible to identify the sampan in which any person embarks; I am convinced that it would have been a simple matter to have arrested the sampanmen with whom Epps took passage at Sagarimatsu, within a few hours after the discovery of his murder. The fact that, while these men have not yet been arrested, the police are seeking the criminals among sampanmen from the opposite side of the harbor, confirms me in the opinion, previously expressed, that the local authorities are not taking adequate measures to bring the guilty men to justice.

Very respectfully, your obedient servant,

(Signed) F.V.McNair,

Rear Admiral, U.S.Navy

Commanding U.S.Naval Force on Asiatic Station.

The Honorable the Envoy Extraordinary and Minister Plenipotentiary of the United States, Tokyo, Japan.

(One Enclosure)

No.145I.

United States Consulate,

Nagasaki, Japan, December 18, 189

Rear Admiral F.V.McNair, U.S.N.,

Commander-in-Chief of U.S.Naval Force on Asiatic Station

Nagasaki.

Sir:

I have the honor to inform you that I am in receipt of a communication from T.Adachi, Chief Superintendent of Police, Nagasaki Ken, stating that he has arrested Nakamura Yomosaku and kawada Hiakutaro, sampanmen, om the 14th instant.

He also states that "the fact has become clear that the "affair happened while on the way of Epps returning to his flag-"ship, the OLYMPIA, in their sampan which he took from Inasa at "about 8 P.M. on the 12th instant."

He informs me that the case has been transmitted to the Head Public Procurator of the Nagasaki District Court for prosecution, and that he will advise me of the date of trial.

I am, Sir,

Your obedient servant,

(Signed) W.H.Abercrombie,

U.S.Consul.

Enclosure No. 8 with Mr. Buck's No. 77 of December 28, 1897.

(Copy)

No. 43.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 22, 1897.

W. H. Abercrombie, Esquire,

United States Consul,

Nagasaki.

Sir:

By cablegram from the Secretary of State, received yesterday, I am asked to "report what action taken in regard to mur-"der of seamen of YORKTOWN and OLYMPIA."

No report of the murder of the seaman of the YORKTOWN having come to this Legation, and not having received any official information in respect to it till the 15th instant when I received a telegram from Admiral McNair reporting the murder of Frank Epps, Apprentice of the U.S. Flagship OLYMPIA, in which telegram the Admiral stated also that a "similar case of mur-"der of YORKTOWN man last September still unpumished", I write to learn from you the circumstances and facts of the murder of the seaman of the YORKTOWN. Please state also what steps were taken by the local authorities in connection therewith, that I may be able to properly present the case to the Japanese Government, should I find sufficient warrant for so doing, that energetic efforts may yet be required of the local officials to ferret out and punish the murderer.

From a letter from Admiral McNair I learn that the Murder

of

of the seaman of the YORKTOWN was committed on or about the night of the Ist of September last. Should the facts of the case warrant it at this time, you will of course earnestly urge upon the officials there the importance of discovering and convicting the murderer.

I need not suggest to you to cöoperate with Admiral Mc-Nair in pressing upon the local authorities the importance and necessity of making most vigorous efforts to arrest and convict the real murderer of the Apprentice of the OLYMPIA, as I am confident that you are already doing all that can be done in that direction.

It would seem quite strange that two such murders of seamen of our warships could be perpetrated at Nagasaki under such similar circumstances and so near together in point of time as they were, and that the guilty men could not or would not be discovered and convicted, if earnest and intelligent efforts were made to do it by the proper authorities.

I am, Sir,

Your obedient servant,

(Signed) A.E. Buck.

United States Minister.

Enclosure No. 9, with Mr. Buck's No. 71 of date December 28th, 1897.

No. 46

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 27, 1897.

Rear Admiral F.V.McNair,

Commanding United States Naval Force

on the Asiatic Station

United States Flagship OLYMPIA,

Nagasaki, Japan.

Sir:

I have to acknowledge the receipt of your Note No.214-M, of date the 18th instant, and to state that I had an interview with Baron Nissi, H.I.J.M's. Minister for Foreign Affairs, on the 23rd instant, at which time I handed him a note touching the case of the murder of Epps and also, the murder of a seaman of the United States Ship YORKTOWN on or about the night of the 1st September, last, reviewing the facts and circumstances of the murder of Epps and the action taken by the local authorities at Nagasaki, in line with your dispatch of the 18th instant.

In my note I referred to the fact that I had received instructions by cablegram from my Government calling for a report of what action had been taken in regard to the murder of Epps and also in regard to the murder of the seaman of the Yorktown both at Nagasaki. I also stated that by a dispatch from you I

had

had received information that "two persons had been arrested "for the murder of Epps upon the assumption that he was returning from Inasa, on the western side of the harbor, though the "proof showed clearly in the proceedings of the Inquest that "Epps spent the afternoon and evening of that day on the eastern side of the harbor and embarked about 8 P.M. from Sagarimatsu Hatoba for his ship, which, considering that he was murdered a few minutes after 8 P.M., made it quite improbable, if "not impossible, that he could have been at Inasa at any time "that day."

I also stated that "it would seem that the fact of Epps' "being a negro and therefor distinguishable from other sailors, "the exact time of embarkation being established upon the Inquest, and the system of issuing fares in succession to the "sampanmen at the stand would render it possible to identify "the sampan in which Epps took passage, and lead to the prompt "arrest of the murderers."

I also stated in my note that no official communication having come to me until then in respect to the murder of the seaman of the YORKTOWN, I had had no occasion, heretofore, to bring the matter of the failure to arrest and punish the murderer to his attention, which I then took occasion to do, believing that so far as lay within his power, everything would be done that should be to attain the ends of justice in that case, as well as in the case of the murderers of the apprentic of the OLYMPIA.

In closing I made known to His Excellency that any information obtained by him in respect to what action had been or might

might be taken by the authorities of Nagasaki Ken in discovering and arresting the criminals,,I should, at any time, be glad to receive,' which information, I trusted, would enable me to make to my Government such reports as would give full satisfaction.

Baron Nissi seemed to be interested in behalf of an earnest effort to discover and arrest the murderers in both cases. He stated that, while he had not before known of the YORKTOWN case, he would look into the matter and promptly inform me of what had been or might be done so far as he could, in that case as well as to give further attention to the OLYMPIA case and report as soon as possible.

Up to this time, hearing nothing further from the Foreign Office, and supposing that the disturbed condition of affairs political may perhaps cause some delay in the Baron's report, in case he has anyhhing to impart to me, I write that you may be fully advised of the situation as it is, as relates to my correspondence with the Foreign Office upon the two murder cases in question.

On receiving your dispatch of the 18th instant giving the result, so far as the action of the local officials, in the case of the murder of Epps, and your conclusions therefrom, in which dispatch you enclosed a copy of a letter from Consul Abercrombie, I at once, on the 22nd instant, mailed a letter of instructions to him, a copy of which I enclose herewith for your information.

Very respectfully, your obedient servant,

(Signed) A. E. Buck.

United States Minister.

Enclosure:

Copy of Mr.Buck's Instruction No.43 of date December 22nd 1897, to Mr.W.H.Abercrombie, United States Consul at Nagasaki.

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No.72.

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LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 28, 1897.

Aoka
Jan. 29/98

Mr. Buck

to the Secretary of State.

Subject:

The Japanese Diet opened and disolved. Cabinet changes likely.

No.72.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 28, 1897.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to inform you that on the 24th instant the Eleventh Diet was formally opened by the Emperor, who delivered a short speech upon the occasion, alluding with satisfaction to the Revised Treaties with foreign powers, and touching upon the desirability of hastening the bringing into operation of the Revised Code of Laws; and recommending, in connexion with the Budget, the raising of additional revenue by encreased taxes.

On the 25th instant the House of Representatives began its proceedings shortly after I o'clock. Almost immediately a motion was introduced, with only one dissenting voice, for a vote of non-confidence in the Cabinet. The number of names signed to the resolution—more than two-thirds of the members—shows plainly that the House was overwhelmingly in favor of voting non-confidence in the Ministry. At this juncture, before the resolution could be adopted, an Imperial Rescript was read proroguing the House of Peers and disolving the House of Representatives.

Yesterday

Yesterday a rumor, which seems to be reliable, went abroad to the effect that Count Matsukata, Prime Minister and Minister for Finance, and Marquis Saigo, Minister for the Navy, had tendered their resignations. And rumor now has it that most of the other Ministers have followed suit; and that all will soon do so.

Great dissatisfaction in the present Cabinet has long been felt. Indeed, the Diet seems to have truly reflected the national feeling towards them; and it is likely that, if the present Ministry continued until a new House was returned by general election, fully as large a majority of the members would be found ready to vote non-confidence in it. It seems highly probable that a new Cabinet will soon be formed; but what its personnel will be is dificult now to foretell.

In this connexion I may refer to my Dispatch No.53, of date November 9th, last, in which it was pointed out that the Cabinet had become largely Satsuma, thereby, though becoming more harmonious, perhaps, yet loosing nearly all its political support.

The events which have taken place were by no means unexpected. I enclose, in dupliate, clippings from the Japan Times of December 27th, and from the Japan Mail of December 28th, as giving the order of the proceedings, and the tone of press comment upon the subject.

I have the honor to be,

Sir,

Your obedient servant,

Enclosures:- Clippings from the Japan Times and Japan Mail, as above.

Enclosure No 1, with Mr. Bucks No 72, of December 28th, 1897.

IMPERIAL DIET.

FRIDAY, Dec. 24.

HOUSE OF PEERS.

The House met at 11.45 a.m. to discuss the draft of the reply to the Speech from the Throne. The Draft was approved in the form recommended by the President of the House, and was worded thus:—

"Your Majesty's humble servants in the House of Peers submit with the most profound reverence this address to Your August and Enlightened Majesty. On the occasion of the opening ceremony of the 11th Imperial Diet, Your Majesty was pleased to favour the members of the Houses of the Diet with the most gracious Words. The putting into operation of the revised Treaties with the foreign Powers is at hand, and the power and prosperity of the realm is being steadily advanced. In regard to the important affairs in the interior, Your Majesty has been specially pleased to point out a broad and comprehensive policy. It is their humble intention to deeply inscribe on their hearts Your Majesty's August wishes, and with the welfare of the realm and the prosperity and happiness of the people constantly in their view, to discharge their duties in conformity with the provisions of the Imperial Constitution, to the end that Your Majesty's enlightened counsels may be properly promoted. In all humility and reverence they submit the above address."

SATURDAY, Dec. 25.

HOUSE OF PEERS.

The House met at 9.40 a.m., the Order of the Day being:

1.—Election of the Chairman of the Committee of the whole House
2.—To determine the date for electing the Standing Committees.

After one of the Secretaries reported on the changes that have taken place among the members of the House since the 10th session, on the names of the Government Delegates appointed for the session, and also on the Government and private Bills received by the House, the Order of the Day was proceeded with, Marquis Kuroda, Vice-President of the House, acting on behalf of Prince Konoye, the President of the House, who, with the consent of the House, had left the Chair to proceed to the Court to submit the Address voted on the previous day to the Emperor. The result of the voting for the Chairman of the Committee of the whole House was announced as follows:—

Total number of voters.....	202
Prince Iyesato Tokugawa	101
Viscount Tateki Tani	100
Viscount Kimimasa Yuri	1

Prince Tokugawa was duly elected. The House withdrew into the lobbies to elect the Standing Committees.

The sitting was resumed at 12.50 p.m. The President read the following Imperial Reply to the House's Address, the members receiving the President's report in the usual respectful posture:—

"We appreciate the warm respect of the House of Peers."

The results of the election of the Standing Committees were then read by the Chief-Secretary of the House.

Mr. Koki Matsuoka wished to explain the Question submitted by him and a number of fellow members to the Government concerning the *hishoku* and the dismissal of the Judges of the Formosan Law Courts, the Question being to this effect:—

1. The Cabinet has placed on the *hishoku* list Takenori Takano, Chief Justice of the Formosan High Court; Yoshitomi Ono, Chief Justice of the Tainan Local Court; Nobuyoshi Shoji, Chief of the Byoritsu Local Court; Tanemoto Ito, Chief of the Taichu Local Court; and Motonao Hamada, Judge of the Appeal Court.
2. The Cabinet has subsequently served disciplinary dismissal on Takenori Takano, Yoshio Hamazaki, and Atsushi Inouye, all judges of Formosan Courts.

Does the Government regard Formosa as placed beyond the purview of the Imperial Constitution, and the Formosan Courts as offices where the judiciary rights specified in the Constitution are not to be exercised? On what principle have the orders of *hishoku* and dismissal been meted out to the Formosan Judges?

Mr. Matsuoka, speaking from the rostrum, explained that the motive that actuated the forwarding of the Question was a very plain one. It was simply to determine whether or not the *hishoku* or dismissal recently served on several Formosan Judges by the Government was a procedure warranted by the provisions of the Constitution. Further, he wished to explain briefly why he and his supporters introduced such a Question. For the affair had attracted earnest attention, not only in the country, but even abroad, as was evidenced from the columns of the press and from the public platforms accusing the Government of an act amounting to the violation of the provisions of the Constitution. Mr. Matsuoka then proceeded to describe how the sufferers by the affair evoked the wide sympathies of all, on their way from Formosa to Tokyo, social and public meetings having been held on their behalf, not by their old acquaintances alone but by those who were personally unknown to them, and by persons of position in the respective localities. The cause of all this agitation in favour of the suffering parties was that the public were of opinion that the matter was intimately connected with the Constitution, and that the question at issue would involve the gravest interests of the whole nation.

On the other hand, the papers supporting the Government's action in the matter were exceedingly few, if any, and nothing definite has yet been heard of in this connexion which may serve as an explanation of the Government's conduct. As it is, the matter is in danger of being left to the undisputed verdict of the

public, who are prone to characterize the Government's action as unconstitutional. Now it is admitted that the Ministers possess great courage, and the speaker believed, that they must also possess thorough legal knowledge, for mere courage alone would not do in Cabinet Ministers. "Therefore, the dictum of the public that the present Cabinet Ministers have no other qualification than courage or temerity, or even savage valour, appears to the speaker and others as a somewhat hasty remark." The Government must have been perplexed because of the want of a proper opportunity to vindicate their action in regard to the affair, and it is most fitting therefore for the Government to avail itself of the present opportunity afforded by the Diet to give their elaborate and ingenious explanation. For the solution of the grave doubt entertained on the question by the people would no doubt contribute towards the welfare of the country. He expected, therefore, that the Government would promptly give a reply calculated to satisfy the introducer of the Question and the public at large.

Viscount Tani next ascended the rostrum to explain another question introduced by him and thirty-two supporters, the question being worded thus:—

On May 25, 1897, the Cabinet dismissed Auditors Ansei Yosukawa, Ichijiro Yoshioka, Naojumi Mochida, and Soai se i su accordance with the provisions of Law. No. XCI. promulgated in 896, which are applicable to those who on account of either physical or mental incapacity cannot properly discharge their official duties. Those who were dismissed were of sound health and were attending their duties as usual. For what cause was the Emperor's sanction obtained to their dismissal?

Viscount Tani wished to explain the nature of the grave duties assigned to the Board, and why it is necessary to safeguard the position of the Auditors. As the Viscount was about to proceed further, he was interrupted by the President, who announced that an Imperial Rescript had just reached his hands through the Minister President of State. The Rescript was worded thus: "We, in accordance with Art. VII. and clause 2 of Art. CLIV. of the Constitution of the Empire, order the prorogation of the House of Peers." The House rose at 1.22 p.m.

HOUSE OF REPRESENTATIVES.

FRIDAY, Dec. 24.

Friday's proceedings of the House have already been published by us, and we have simply to mention the proceedings of

SATURDAY, Dec. 25.

The House, as reported in the extra issue of Saturday evening distributed among our subscribers in Tokyo and Yokohama, assembled in full force, the galleries being crowded with eager spectators.

The Order of the Day was, as previously announced:—

1.—Election of the Chairman of the Committee of the whole House.
2.—Election of the Standing Committees.

The proceedings began with the President's reading the Imperial Message accorded to the House in connexion with its Reply to the Imperial Speech, the Message being the same in wording to that to the House of Peers.

Report on the Bills received by the House having been made, Mr. Shigetsu Suzuki (*Doshi-kai*), as had been expected, moved to change the Order of the Day.

The President asked Mr. Suzuki what was the object of the motion.

Mr. Suzuki replied that he intended to introduce a motion for a vote of non-confidence in the Government.

The motion having been agreed to, with but a single dissentient voice, namely, that of Mr. Junko Haseba (Progressive deserter), Mr. Suzuki ascended the platform and began to move for a vote of non-confidence. The motion was in the form of a resolution as follows:—"It is hereby resolved that this House does not repose confidence in the present Ministry." The motion bore the names of 38 introducers and 198 supporters.

Mr. Suzuki had scarcely finished reading the draft resolution, when he was stopped by the President, who announced that he had just received an Imperial Rescript, which he proceeded to read as follows:—

IMPERIAL RESCRIPT.

We, in accordance with Article VII. of the Constitution of the Empire, hereby order the dissolution of the House of Representatives.

(Imperial Sign-Manual.)
(Privy Seal.)

Countersigned by the Ministers of State.)
Dated the 25th day of Dec. 30th year of *Meiji*.

The House rose at 1.19 p.m., the proceedings which had commenced at 1.12 p.m., therefore not lasting more than 7 minutes. No other session since the inauguration of the Diet has had such a brief existence as this the 11th.

Enclosure No 2 with Mr Bucks No 72, of December 28th, 1897.

The Japan Daily Mail.

YOKOHAMA, TUESDAY, Dec. 28, 1897.

BIRTH.

On Sunday, the 26th inst., at 258-c Bluff, the wife of D. H. BLAKE of a daughter.

THE DISSOLUTION OF THE LOWER HOUSE.

CRITICS of the Government's action in dissolving the House of Representatives seem to forget that the principle of party Cabinets is not yet introduced in Japan. The situation, as it presents itself to us, was that the House of Representatives refused to legislate so long as the present Cabinet remained in power. Under such circumstances one of two courses only was possible: either the Government must dissolve the House and appeal to the country, or the Cabinet must resign. The latter plan would have plainly declared by implication that the Cabinet holds office by the mandate of the Lower House, a principle not acknowledged to be recognised in this country. The dissolution of the House was therefore the only feasible alternative.

Some of our readers may be perplexed to understand our assertion that the House of Representatives declared its resolve not to legislate so long as the present Cabinet remained in office. The House, they may say, was not suffered to hold any debate or to record any opinion. How, then, can it be said to have declared any such resolve? That point is easily explained. It turns upon a question of of procedure. The projectors of Resolutions in either House are accustomed, especially when the subject is of grave importance, to hand to the President, simultaneously with a copy of a Resolution, a list of the proposers (*teishusha*) and of the supporters (*sanseisha*). In the case of an Address to the Throne, a Question or a Representation to the Government, or a Bill, the Law of the Houses provides that a fixed number of proposers—sometimes thirty, sometimes twenty—must be associated with the measure in order that it may come before the House. No such rule applies to mere Resolutions, but the custom is extended to them also. The Resolution of want of confidence, brought forward on the 25th instant, was accompanied by a list of names representing 38 proposers and 195 supporters. It was, therefore, a foregone conclusion that if the Resolution were carried to a division, it would receive at least 233 votes in a House of 398 members. The House may, therefore, be said to have pronounced its verdict most emphatically. Moreover, had not the Government intervened, it was well understood that the House, having passed the Resolution of want of confidence, would have risen until the 11th proximo, and that if the Cabinet had not resigned by that time, an Address to the Throne impeaching the Ministers would have been presented. Thus the Government's action averted an unseemly conflict which must have ended, sooner or later, in dissolution. Probably the best course in the interests of the nation was to appeal at once to the constituencies.

The curious feature of the situation, however, is that this dissolution of the House can not be called an appeal to the country. There is not, we should say, the smallest chance of the present Cabinet's remaining in office to meet the new Diet. Indeed, we regard the formation of another Ministry as a question of days only. Why, then, dissolve the House, it will be asked. Why not reorganise the Cabinet at once, and leave the Diet undisturbed? One reason has been indicated above—namely, that the time for direct acknowledgment of the Diet's mandate is not supposed to have yet arrived. Of course, the resignation of the Cabinet immediately after the dissolution of the House is virtually an acknowledgment of that principle. But there is a palpable difference between surrender to a victorious opponent and suicide after striking down one's opponent. We have here, in short, one of those compromises which the history of Japanese politics has led us to anticipate at every crisis. The people of Japan unfailingly carry to its logical issue the old saying that "it takes two to make a quarrel? The degree of guilt may vary, but there must be some guilt on each side, and both sides are therefore expected to suffer. In this instance, too, importance was doubtless attached to the fact that on the very day after hearing a Speech from the Throne, in which legislation in harmony with the Ministry and the careful discussion of certain important measures, were indicated by His MAJESTY, the House declared its determination not to work with the Cabinet to which the execution of the SOVEREIGN'S commands had been entrusted. That consideration would not carry much weight in England, but the Japanese preserve a great deal of their old attitude of "reverence and awe" towards the Throne.

THE CABINET.

It is very confidently affirmed that the Ministry have resigned. Marquis Saigo seems to have set the example, and to have been followed in quick succession by Viscount Nomura and Mr. Kioura. Count Matsukata, it is said, has not actually submitted his resignation, but has stated to the Emperor that he wishes to be relieved. Rumour says that he will retain office until his successor is appointed, as the nation can not be left without a Cabinet even for a day at the present crisis. There appears to be some uncertainty about the course pursued by Viscount Takashima and Count Kabayama, but the impression is that they too will insist on retiring. Baron Nishi, Mr. Yamada and Mr. Hamao have also tendered their resignations, but as they joined the Cabinet quite recently and can not be associated with its policy in the past, it is asserted that they have been urged to remain at their posts for the present, at allevents. According to the *Chuo Shimbun*, the Emperor instructed the Minister of the Household to summon the elder statesmen —the *Genro* as they are called—to the Palace as soon as possible, in order that a consultation may be held. Marquis Yamagata was about to start for Kyoto when the summons reached him, and Marquis Ito and Count Kuroda were also communicated with at once. The *Chuo* thinks that the task of forming a new Cabinet will devolve upon Marquis Ito, for though his Excellency is understood to be unwilling to serve, Count Kuroda will plead age, and Marquis Yamagata is credited with having recently stated that, at an epoch like the present, the office of President must be filled by a statesman not only of the ripest experience but also possessing an accurate knowledge of the conditions existing in the various countries of the Occident. Such a statement points plainly to Marquis Ito.

Inform Mr. Cozade
Justus L. Cozade informed Jan. 24/98 C.

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LEGATION OF THE UNITED STATES,

Tokio, Japan, December 28, 1897.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Department's No. 53, of date Nov. 20, 1897, relative to title to a house in Niigata.

No. 73.

LEGATION OF THE UNITED STATES,

Tokio, Japan, December 20, 1897.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of the Department's instruction No. 53, of date November 20th, last, enclosing a communication from Mr. Justus L. Cozade in relation to the title to a house in Niigata, Japan, and the Department's reply thereto.

The matter will be given prompt attention by the Legation whenever the interested parties shall request it.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

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No. 74.

DIPLOMATIC,
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LEGATION OF THE UNITED STATES,

Tokio, Japan, December 28, 1897.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of instruction No. 54, reporting the arrival of Mr. Tanaka, Japanese Government Agent, at Lima.

No. 74.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 2 8, 1897.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of Department instruction No. 54, of date November 20, last, enclosing for my information copy of a despatch from the United States Minister in Peru, reporting the arrival at Lima of Mr. Tanaka, Agent of the Japanese Government, for the promotion of trade relations between the South American Republics and Japan.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

JAN 25 1898

No. 76.



LEGATION OF THE UNITED STATES,

Tokio, Japan, December 28, 1897.

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Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of instruction No. 55, of date Nov. 20, last, relating to the Lake Case.

No. 74

LEGATION OF THE UNITED STATES,

Tokio, Japan, December 28, 1897.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of your instruction No. 55, of date the 20th November, last, calling my attention to the matter of the complaint of George W. Lake in relation to his dispossession from certain land in Nagasaki and admitting the force of Count Okuma's contention transmitted to the Department in Mr. Dun's No. 498, of July I, last.

Action has been taken as directed by the instruction under reply, and Mr. Lake has been informed of the Department's decision through the United States Consul at Nagasaki.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

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2D ASSISTANT SECRETARY,
Granted. ace
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LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 30, 1897.

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Ans Jan. 20/98
C.

Mr. Buck

to the Secretary of State.

Subject:

Mr. Herod applies for leave of absence.

No. 76.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 30, 1897.

Honorable John Sherman,

Secretary of State,

Washington.

Sir:-

I have the honor to transmit herewith Mr. Herod's application for a leave of absence for sixty days with privilege of returning to the United States, to be availed of May 1st, 1898.

The application meets with my approval.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosure:

Mr. Herod's application for leave of absence.

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Answer, granting leave as asked.
JAN 19 1898

No. X.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 30, 1897.

Ans. Jan. 20/98

Honorable John Sherman,

Secretary of State,

Washington.

Sir:-

I have the honor to request that I may be granted a leave of absence for sixty days with privilege of returning to the United States, to be availed of, subject to the approval of the Minister, on or about May 1st, 1898.

The last leave of absence enjoyed by me was for the months of January and February, 1896.

I have the honor to be,

Sir,

Your obedient servant,

Joseph R. Hibben

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No. 77.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

Ackd Feb. 3 1898

Mr. Buck

to the Secretary of State.

Subject:

Marquis Ito's endeavors to form a new Cabinet.

No. 77.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, January 7, 1898.

Honorable John Sherman,
Secretary of State,
Washington.

S i r:-

Referring to my despatch No. 72, of date the 28th ultimo, relating to the opening of the Japanese Diet, the introduction of a resolution of want of confidence in the Cabinet, and the immediate dissolution of the House of Representatives and the prorogation of the House of Peers by imperial rescript, I have the honor now to state that the entire Cabinet tendered their resignations on or about December 28th: and that the Emperor designated Marquis Ito as Minister President of State, empowered to form a Cabinet, which, up to this time, has not been consummated.

The reason that the Cabinet has not yet been made up is the difficulty met with, as publically announced, in consolidating fractious elements of the various parties to such a degree as to give assurances of harmony among its members and stability to the Government. While, from such information as I have been able to obtain from reliable sources, a Cabinet could be formed agreed and united among themselves as to a foreign policy, and also as to internal affairs in many respects, yet the question of increased taxation, deemed necessary by a strong element to carry on the Government, and largely for the attempt at which the late Cabinet went out of power, seems to be the main difficulty in the way. It was expected, however, that, not later than to-day, the new Cabinet would be made up and announced, and the result is anticipated within a few days at furthest.

Though the personnel of the new Cabinet cannot be foretold,-the names of a number of persons being canvassed for each Department, any one of which is possible to be selected-, there seems to be a general

feeling that Count Okuma should be included. He is regarded, next to Marquis Ito, the strongest man in public life in the Empire. His well known opposition to immediate increase in the tax rate, however, though the present rate of taxation does not yield sufficient revenue to carry on the government, and though the Emperor, in opening the Diet, announced in unmistakable terms the necessity of increased taxation, is the strongest reason that has, till now, precluded his acceptance of a Department, which, I am informed, has been strongly urged upon him.

A clipping from the "JAPAN TIMES" of the 6th instant, herewith enclosed, is of some interest as a matter of speculation, though not remarking upon the most important reason, perhaps, lying at the bottom of the difficulty of forming a Cabinet, to wit:- the question of immediate increase of the tax rate.

I have the honor to be,

Sir,

Your obedient servant,

W. G. Beach

Enclosure:

Clipping from "JAPAN TIMES" of January 6,1898.

THE POLITICAL DENOUEMENT.

WHILE dame rumour is talking with many mouths of events now in course of development at Oiso, the usually quiet resort, which has since towards the end of last year become the Mecca of politicians, it is to say the least difficult to get at anything concrete. The weather outlook over the Far East and the critical situation at home, had pursuaded us to believe that the country and the politicians were for once at one in hoping disinterestedly for united action and that the formation of the new Cabinet would be a work of early accomplishment. But in this we were destined to be deceived. As the suspense is growing more intense day by day, we produce below what purports to be a birdseye view of the political firmament.

In a word, nothing has developed since the meeting of Marquis Ito and Count Okuma at the Imperial Hotel at the end of the year just gone, and the coach of State is still struggling along a hard road. And the hardness of the road seems to lie in the fact that the Marquis is a man entertaining little sympathy for being trammelled with party connections; while the Count, though saying by word of mouth "Okuma is Okuma and the Progressives are Progressives," is really in a position which renders it difficult for him to put the motto into practice. As for what had taken place between the two at the meeting above mentioned, a report has it that the Count has expressed himself as much discouraged at the experience he lately went through in the coalition Cabinet he was a member of, and seeing that the people at large have not sufficiently advanced yet in their politial ideas, he would rather not enter the Ministry just now but remain among and busy himself in educating them, while promising his support in an indirect way to the Marquis, as a matter of friendship. To this the Marquis is said to have replied that such a support can not but be limited in scope and would minimise the value of the Count's services to the State, and therefore, taking into consideration the fact that the country has never been more in need of disinterested unity, he wished his friend to rise to the situation. It is thought the Count Okuma's excuse is only a veil to conceal the influences of the Progressive party which will not let him act according to his own free will, though he himself is not a man of so small a mind as to insist on conditions for his entry into the Cabinet. And what the Progressives want is said to consist of three alternatives:—

That excepting those of Army and Navy half the number of the other portfolios shall be given to their party men, allowing the Count to select one out of them for himself; or

That they will be satisfied with one portfolio besides making the Count the Home Minister; or

That the party will refuse to enter into any sort of understanding with the Cabinet but take up the attitude of censorial on-lookers.

The first demand looks big, but it presumably comes from the younger and headstrong section of the party, commanding but little practical influence; while the third no doubt is an outcome of the sentiment of self respect in view of the disastrous experience they have had in connection with the Matsukata Cabinet. It is the second alternative, as we understand, that the party men in a roundabout way submitted to Marquis Ito as the condition of their leader's entry. And with considerable interest we learn the Marquis' answer thereto which is being whispered among the politicians gathered at Oiso, as being in substance that, there is something very distinct about the portfolio of the Home Department which makes it undesirable that it be given to a party leader, especially with the general election in view. It is for these obvious reasons considered desirable that the particular post should be given to some statesman who is of a political following, etc. While this explains the prevailing rumour that Count Okuma has met with a refusal of his conditional demand, it also throws light on the hesitating disposition of the Count and his efforts at pleasing both the Marquis and his party.

Now, regarding the Marquis himself, his position in short seems to be this, that he has already matured a plan of his own which he will make public in due time; but meanwhile, as the Matsukata Cabinet is still in existence and it is false to say that the country is without a government, he will take enough time to feel the pulse of politicians and parties to make sure of his progress when once he puts himself in harness. The only remarkable thing in the circumstance is the extreme self-possession which is keeping the Liberals all silent, but for that is known, Count Itagaki, though he may not assume any office, is ready to extend support to the succeeding Premier provided that the latter shall see that the fresh blood of the younger generation be given place in his Cabinet. On the whole, we may conclude that the signs point to the next Cabinet being a purely Ito Ministry with the Liberals at its back, and that it will not be long before such an announcement is made public.

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2D ASSISTANT SECRETARY,
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FEB 7 1898 A.M.

LEGATION OF THE UNITED STATES.

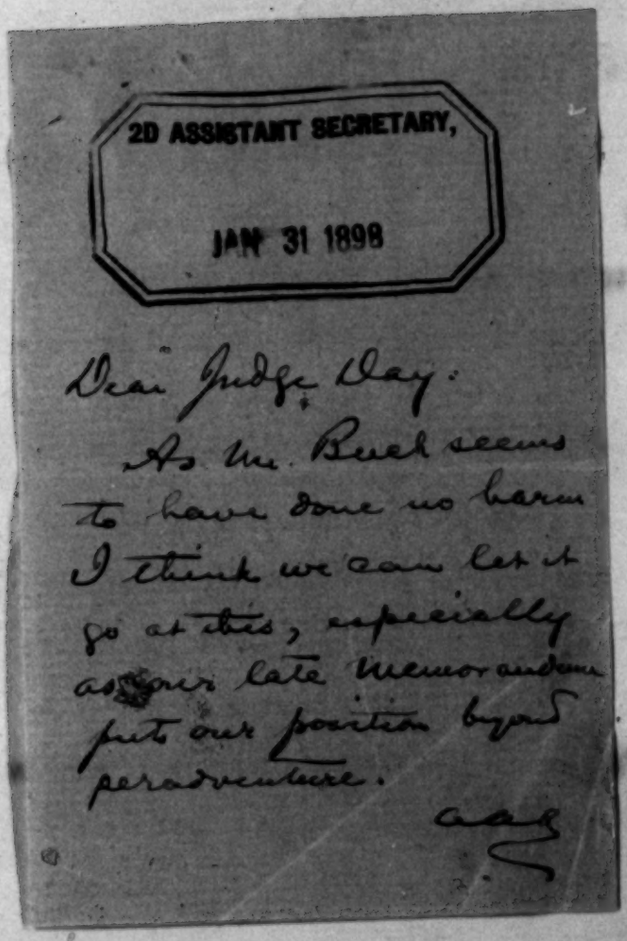
Tokyo, Japan, January 7, 1898.

Mr. Buck

to the Secretary of State.

Subject:

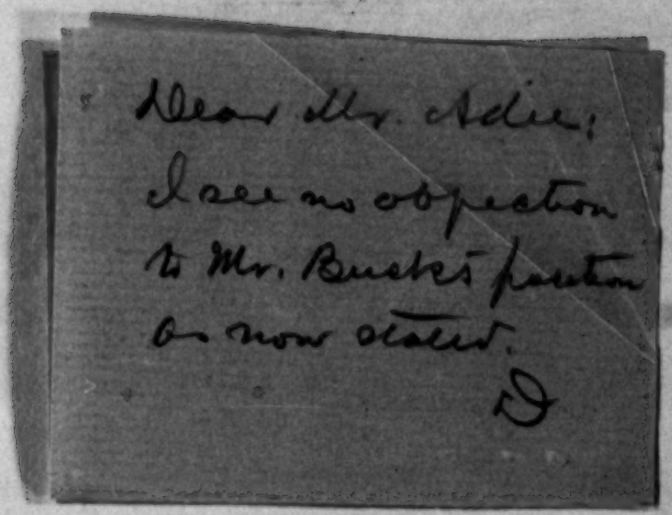
Mr. Buck's conversation with Count Okuma on the Annexation of Hawaii.



Dear Judge Day:

As Mr. Beach seems to have done no harm I think we can let it go at this, especially as our late memorandum puts our position beyond peradventure.

Yours



Dear Mr. Adee:
I see no objection
to Mr. Bucket's position
as now stated.
D

No. 78.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

Honorable John Sherman,

Secretary of State,

Washington.

S i r:-

I have the honor to acknowledge the receipt of your instruction No. 57, of the 8th ultimo, with a copy of the President's Message enclosed, and, in reply, to state that, in my remarks to Count Okuma, which you quote from my despatch No. 54, "that the United States would not fail in any contingency to do that which was right and just in respect to the interests of Japan and her subjects in Hawaii", I was mindful of the "declarations contained in the same regard in my(your) note to Mr. Hoshi of June 25th last", and made no utterance that could be construed as committing my Government to any specific course of action as to any particular question or claim that Japan might present to the United States in consequence of the annexation of Hawaii. In fact, Count Okuma did not interrogate me in respect to any particular claims that Japan might make of the United States, and made no definite statement as to any expectations or any demand to be made concerning the "continuance of the stipulations of treaties and the vested rights" which the subjects of Japan might claim under her treaty with Hawaii.

As to the remarks of Count Okuma touching the rights and interests of Japan and her subjects in Hawaii, from which I inferred the desire and expectation of Japan to be "that the United States would give such assurances as would guarantee the protection of Japanese subjects in Hawaii in every right and privilege that they have under the Hawaiian Government by treaty", I beg to say that that was simply my conclusion drawn from the tenor of his remarks in general, not from any particular or definite expression from him, and to which, of course, I had no occasion to reply.

I

In my conversation with Count Okuma I went only so far as to say what I reported as having said in my despatch No.54 and which is quoted in your instruction No. 57 under reply.

I have the honor to be,

Sir,

Your obedient servant,

N E Buck

DIPLOMATIC,

FEB 8 1898

BUREAU.

2D ASSISTANT SECRETARY,
Ack by subject + file.
FEB 6 1898

No. 79.

INDEX BUREAU
REC'D.
31 JAN 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Enclosing clipping from the Japan Times of January 6th, 1898, upon the foreign relations of Japan.

No. 79

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose herewith a clipping from the Japan Times of the 6th instant, which may be of interest as being a tolerably fair representation of public sentiment here touching the foreign relations of Japan, from a Japanese point of view.

The Japan Times usually expresses public opinion fairly well.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosure:

Duplicate clippings from the Japan Times of January 6th, 1898, as above.

Enclosure with Mr. Buck's No 79, of date January 7th, 1898.

The Japan Times.

Tokyo, Thursday, Jan. 6th, 1898

JAPAN IN 1897.

II.—Foreign Affairs.

In the domain of foreign affairs, too, the year under review was very eventful, although what has thus far taken place in this sphere is only a foretaste of the troubles and complications which we may expect to witness in the course of the coming twelvemonth. Before proceeding to review the principal incidents connected with the Far Eastern question which we may almost regard as *the* foreign affair of the Japanese Empire, it will be convenient to make an allusion to the Hawaiian question, which attracted a considerable amount of attention about the middle of last year. The Hawaiian affair was a mere by-play or sort of interlude in the grand international drama which is being enacted on the stage of Eastern Asia. When it was known some time in the spring of 1897, that a large number of Japanese emigrants were refused a landing on Hawaiian soil by the Government of that Republic, in direct violation of the treaty stipulations existing between the two countries, the people on this side of the water were naturally indignant at the arbitrary treatment to which their countrymen had been subjected, and demanded that proper satisfaction should be obtained from the offending Government. In ordinary circumstances the question would have been promptly and satisfactorily settled without leading to any disagreeable consequences; but, thanks to the annexationists in Hawai, and to the journalistic friends of the Foreign Minister here, the affair was speedily converted into a source of much unpleasant feeling between this country and its earliest and purest friend, the United States of America. The cry of a strong foreign policy being one of the hobbies on which the Progressives had ridden into popularity with the masses, it was quite natural that their organs should have been betrayed into some extravagant nonsense on this subject, although, to do them justice, they did not, as some Yokohama papers alleged at the time, go to the length of writing in a warlike strain. To understand the real meaning of their writings on this question, it is necessary to bear in mind that they addressed themselves principally to the masses, their chief anxiety being to make the people believe that their leader in office was pursuing a firm policy in the external affairs of the country. It may be safely asserted that there was a wide and essential difference between the policy proclaimed by these journals and the policy actually pursued by the Foreign Minister of the time. So far as the Japanese Government was concerned, there is no doubt that the policy pursued throughout the complication was a firm but reasonable one. If the affair led to an unpleasant feeling between this country and the great trans-Pacific Republic, the responsibility rests, as we have stated, partly with the self-constituted advocates of a strong policy here, but principally with the annexationists on the other side who tried, with a really admirable zeal, to disseminate the most unscrupulously erroneous news about the alleged ambition of this nation in regard to the Hawaiian Islands. But in a few months, it was noticed that the truth gradually began to dawn upon the American mind, and in this respect the public declarations of Marquis Ito both in America and in Europe had, we believe, great influence in correcting the mistaken impressions entertained by the people of the United States. As the Marquis truly stated to a newspaper in Canada, Japan has never had a design upon the islands, nay, she would not accept them even if the offer were made. What we want is that our rights and interests in Hawaii should be respected and guaranteed; and assured on this point, we should not object to the annexation of that country by America. In a word, it is a matter for sincere congratulation that whatever unpleasantness there may have been, has already passed away, and there is not the slightest fear of a disturbance of the friendly relations which exist between the two nations, and which, we believe, is highly valued and appreciated on both sides. The question, it is true, is not yet wholly settled, but its amicable and satisfactory solution under the Cabinet now forming is a foregone conclusion.

The Hawaiian-American question is of insignificant importance when compared with the question of the Far Eastern situation in which our interest is vital and permanent. Early in the spring of the year under review, Russia began to show her hand in Korea by trying to despatch a large military mission to Söul. Such conduct was plainly inconsistent with the spirit and aim of the Yamagata-Lobanoff Convention, and the matter formed the subject of diplomatic communications between Tokyo and St. Petersburg, resulting in an understanding that the whole question of the military mission should be talked over at Tokyo upon the arrival there of the new Russian Minister to Japan. When the Russian Minister arrived here toward the end of the summer, negotiations on the subject were at once opened with him by the Japanese Government, when, if our information be correct, the latter was surprised to be informed that the sending of the military mission to Korea being based on a contract entered into between Russia and Korea before the Moscow Convention was signed, the question had nothing to do with that Convention. As to the attitude taken by our Foreign Minister after this most astounding reply, we are not in a position to state here. Although it is presumable that he did not give any formal acquiescence to the insulting line of action adopted by Russia, Russia proceeded in an energetic manner to carry out her plan in Korea without taking the least heed of the widespread dissatisfaction of the Japanese nation. The numerical strength of the mission, it is true, was very much reduced, but that does not improve in the slightest degree the objectionable character of Russia's conduct. This was soon followed by a more vigorous step, namely, the forcing of a financial adviser upon the Korean Government. Hitherto the Power directly affected had been Japan, but the question of financial adviser has dragged in another Power, namely, England, thus increasing this complication of the situation. This question is, indeed, of the greatest importance, for, according to all accounts, M. Alexieff is invested with such a vast authority that he is not a mere adviser to the Korean Government, but really Russia's Resident in the peninsula. Almost immediately after the Alexieff question began to rouse an active interest in the situation in Korea, the whole East was surprised by the German seizure of Kiao-chow, a proceeding of the most unwarrantable audacity. The pretext was furnished by the most opportune murder of two German Catholic missionaries in Shantung, but that was a mere pretext. Murder or no murder, Germany seems to have been bent upon pursuing an energetic policy in the Far East. From the first moment the news was received here, we took a serious view of the matter, and pointed out the probability of some understanding between Berlin and St. Petersburg—a view which subsequent events and information have steadily tended to strengthen. Russia's action in the Liaotung peninsula was a necessary consequence of that understanding. The close of the year saw all the European Powers interested in Eastern Asia hastening to strengthen their forces in these waters. What is significant about the present state of affairs, is that England seems to have at last awakened to the necessity of taking some active steps. As for Japan, the people keep themselves remarkably calm and quiet, trusting that when the necessity arises they will be equal to the occasion. What line the future developments of affairs will take, it is dangerous to conjecture. We may, however, feel confident that the new Cabinet will not spare anything to guard the interests and honour of this Empire.

DIPLOMATIC,
JAN 31 1898
BUREAU.

No. 80.

INDEX BUREAU
REC'D.
31 JAN 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

Asked and
One copy of each enclosure
sent to Treas. Library, and
Bur. of Am. Com.
Feb. 2/98
C.

Mr. Buck

to the Secretary of State.

Subject:

Transmitting Foreign Trade Returns of Japan and Formosa.

No.80.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to ~~transmit~~ herewith, under separate cover, for the information of the Department, three copies each of the Monthly Returns of Foreign Trade of the Empire of Japan for the months of June---November, 1897, inclusive, together with the Semi-Annual Return of the Foreign Trade of Taiwan (Formosa), for ~~the same~~ half year up to July period, compiled by the Department of Finance.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
FEB 1 1898
BUREAU.

No.81.

INDEX BUREAU
REC'D.
31 JAN 1898
DEPT OF STATE

File

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, 1898.

COPIED FOR CONGRESS.

Mr. Buck

to the Secretary of State.

Subject:

The YORKTOWN and OLYMPIA cases—transmitting additional correspondence upon the subject.

No.8I.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 7, I898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

That the Department may be fully informed upon the progress, up to the present, in the cases of the murders of William Montgomery, U.S.N., of the YORKTOWN, and of Frank Epps, U.S.N., of the OLYMPIA, I have the honor to enclose herewith additional correspondence held since the writing of my Dispatch No.7I of December 28th, I897, as follows:-

(I) Admiral McNair's dispatch to me of December 23d, I897,

(2) Admiral McNair's dispatch to me of December 27th, I897,

(3) Consul Abercrombie's dispatch to me of December 29th, I897,

(4) My dispatch to Admiral McNair of December30th, I897,

(5) Admiral McNair's dispatch to me of January 2nd, I898,

(6) My Instruction to Consul Abercrombie of January 6th, I898.

The Consul at Nagasaki states, in his dispatch of December 29th, last, which forms Enclosure No.3 herewith, that in his opinion he cannot say that ordinary diligence was not displayed by the Japanese authorities at Nagasaki in endeavouring to ascertain the circumstances of Montgomery's death. He also states that these authorities, as well as the U.S.Marshal who

was

was at work upon the case, arrived at the opinion that death was due to an accidental fall.

As the evidence adduced as a result of the measures taken by the Japanese authorities, which is set out in Enclosure No.1 herewith, is meagre and unsatisfactory, apparently indicating a lack of persistence and method in those measures, I hope that further and more energetic investigations may still be pursued in the matter.

Turning to the case of Epps. Though, as the Consul informs me, two arrests have been made and the men are held for public trial, yet these men have been arrested upon the assumption that Epps embarked from Inasa, which is quite inconsistent with the conclusion arrived at from the evidence adduced at the inquest that Epps embarked from Sagarimatsu.

At all events, the Nagasaki authorities are now reported to be actively prosecuting the case, a course which I shall do all in my power to cause them to continue in, with the result, I hope, that the real murderers of Epps will be brought to justice.

It is owing, I presume, to the fact that the Foreign Office has been closed during ten days for the holidays, as well as to the impending appointment of a new Cabinet that I have received no further information upon the subject other than that received from Admiral McNair and the Consul at Nagasaki.

I have the honor to be,

Sir,

Your obedient servant,

Enclosures:- Six, as above.

Enclosure No./ with Mr.Buck's No.81 of date January 7th, 1898.

(Copy)

No.229-M.

United States Naval Force on Asiatic Station,

Flagship OLYMPIA,

Nagasaki, Japan,

December 23, 1897.

Sir:

I have the honor to acknowledge the receipt of your letters of the 16th and 18th instant, informing me of your action in bringing to the attention of the H.I.J.M's.Minister for Foreign Affairs, the case of the murder of Frank Epps, an apprentice of this vessel, and beg leave to express my thanks for the interest you have manifested.

Having, in previous correspondence in relation to this matter, referred to the death of William Montgomery, a landsman in the navy attached to the YORKTOWN, who was murdered in this harbor on or about September 2nd last, I take occasion to lay before you certain facts in relation to this crime which bear upon the case of Epps to the extent of showing the method of public investigation pursued by the Japanese authorities.

Montgomery absented himself (without leave) from the YORKTOWN, then lying in Nagasaki Harbor, on the night of September 1st, 1897. Having been known to have visited various houses ashore during that night, his dead body was found by a boatman in the harbor on the morning of September 4th; there were two wounds in the head which had evidently produced insensibility, and death resulted from drowning.

Upon the request of the United States Consul an investi-

gation

gation was made by the Japanese police, and I enclose a letter from the Governor to the Consul (kindly furnished me by the latter), transmitting a statement of the facts elicited up to September I4th. Nothing therein recorded throws any light upon the murder, excepting the testimony of one witness to the effect that Montgomery was seen to call a sampan. As the attendant circumstances render it most probable that the man met his death at the hands of the boatman with whom he took passage to return to his ship, the neglect of any steps to identify the boatman is a striking omission on the part of the investigators. With the existing system under which sampans are controlled, information obtained from the witness as to the time and place at which the sampan was called would almost certainly have led to the apprehension of the boatman. But no testimony is recorder beyond the fact that Montgomery was seen to call a sampan.

I have been informed by the United States Consul in a letter of the 2Ist instant, of which a copy is enclosed, that he has been notified that no further facts in the case have been learned since September I4th; and also that a communication from the Chief Superintendent of Police states that the Japanese authorities had arrived at the opinion that Montgomery met his death by drowning and not by violence, which conveys the inference that the person who administered the wounds (and who also undoubtedly threw his victim overboard), is not considered guilty of murder.

I am therefore led to believe that the actions of the Japanese authorities in this case have been characterized by a

lack

lack either of energy, or intelligence, or both.

Very respectfully, your obedient, servant,

(Signed) F.V.McNair,

Rear Admiral, U.S.Navy,

Commanding U.S.Naval Force on Asiatic Station.

The Honorable

The Envoy Extraordinary and Minister

Plenipotentiary of the United States,

Tokyo, Japan.

(Two enclosures)

Copy

No.151. Translation.

Nagasaki Kencho,

September 14, 1897.

Sir:

I have the honor to acknowledge the receipt of your letter, dated the 4th instant, requesting me to examine to the cause of the death of William Montgomery, late landsman, U.S.N on the U.S.S.YORKTOWN.

In reply I beg to inform you that upon close examination the facts have been found not as far as per enclosed statement up to the present, and that I am still in the course of investigations on this matter.

I have the honor to be,

Sir,-

Your obedient servant,

(Signed) Y.Komatsubara,

Governor of Nagasaki Ken.

Dr.W.H.Abercrombie,

U.S.Consul,

Nagasaki.

(Copy)

Statements taken by Japanese authorities in relation to the murder of William Montgomery, landsman, U.S.Navy.

o

Translations.

Ist. About II P.M. September Ist William Montgomery and Frank Martin, seamen, came to No.42 "Columbia" kept by an Austrian named Tenebum and had drinks there, and Martin paid in yen I0 note, the bar man went to the next house called "Navy "Club" to have it changed, and returned to Martin yen 9.40 ballance, at the same time Montgomery was playing the piano. They had been there about 20 minutes and then went away.

2d. After both seamen left the "Columbia", went direct-lt to "Navy Club", which is kept by a Roumanian named Jacob Kohn and was singing a German song but did not have any drinks there. Martin said they would return again after having a good time somewhere and they left the house.

3d. At about I5 minutes to I2 P.M. both men went to the "Olympia Hotel" No. 37 Natsuvida Machi, kept by Mitchell, an American. At the time there were some guests, unknown, there. They had drinks from the guests present, and did not pay themselves, and left there about I o'clock A.M.

4th. Jin-rick-shaw coolie Tanaka Matazo, 30 years old, living with Tanaka Matsutaro, No.I Isemachi, Nagasaki, and Shimoda Yehitaro, 22 years of age, living with Hirata Chenkichi, Kozone Machi, Nagasaki, took two sailors near the "Olym-"pia Hotel", Matozo taking Montgomery and Simoda taking Martin, and they told the rickshaw men to go to grog-shops, but as it was very late and all the shops closed, they went to the "Commercial Hotel" which was open at that time.

5th. Two sailors came to the "Commercial" at No.I8 Oura, kept by Tracktember, who is under Japanese protection, at I2 o'clock. Each took a bottle of German beer and paid 80 cents. While Montgomery was playing the piano with permission from its proprietor and singing Dutch songs until about I A.M. and Martin took his rickshaw to leave. After five or six minutes Martin went away in company with Montgomery also in jinrickshaw.

6th. Martin went to prostitute house No.II Maruyama Machi, Nagasaki, kept by Homa Yosaduro. At about half past four in the morning he took the same jinrickshaw and left and went to Koga Chojiro, Compradore, at No.II Nagasaki Machi and bought a bottle of liquor, and then went to No.4 Hatoba in the same rickshaw, and returned on board taking a sampan near the Hatoba.

7th. Jinrickshaw-man Tanaka Matazo knowing that Montgomery had no money with him, he thought he would refuse to take his rickshaw at No.I8 Oura, but if he does he would probably get no pay. He decided to take him to the place where Martin went in Maruyama and Uriya Machi but could not find where Martin went in Maruyama and there was not a house kept open at so late an hour, the rickshaw-man asked Montgomery to leave his cart and demanded his fare, but Montgomery said he would pay the next time he comes ashore as he had not a cent. I left Montgomery in Maruyama and then went to my house in Kozone Machi to sleep.

8th.

8th. After Montgomery parted with his rickshaw-man Tanaka Matazo, he was seen walking in Uriya Machi by a rickshaw coolie Hayashi Genzo No.26 same street.

9th. At the time Montgomery was walking about that street he called a sampan and was seen by a macaroni seller living at No.263 Koshima, Nagasaki Mura.

I0th. After Montgomery had parted with Tanaka Matazo the rickshaw coolie, Montgomery asked Shimoda Yutaro No.30 Koshima Nagasaki, where the coolie was staying opposite Nogatoya, same street, but as he was not properly dressed and did not know whether Montgomery had money or not, he showed himself that h he was sound asleep and did not take Montgomery, so he went away towards the entrance of Maruyama.

IIth. About the dress of Montgomery and Martin it correspond with the statement of bar-room keeper, jinrickshaw coolies, and prostitute.

I2th. It seems that Montgomery had no money with him on the night of September Ist. He owed 37 yen to Koga the Compradore for provisions supplied. The Compradore asked Montgomery for the payment and at last Montgomery paid him 20 yen at the back of the cook-room at about 5 P.M. on September Ist when koga went on board on some business, and Montgomery told him he had to pay some money to his friends also. Montgomery therefore could not have had much money as testified in the Court of Inquiry on board, and Julius Von del Doppen was one of the man stated thereon.

I3th. It seems that the hours do not correspond with the time specified by the proprietor of the "Commercial Hotel" No. I8 Oura with other bar-rooms, but as it is customary to close these places at I2 0'clock it seems the bar-room keepers changed the time on purpose.

I4th. Previous to the decision of the death of Montgomery of the U.S.S.YORKTOWN, some officers came ashore and after investigation they came to the house of Koga at Nagasaki and asked him whether both Montgomery and Martin came there to get liquor at about I o'clock on the morning of the Ist September Koga replied Martin came to get one bottle of liquor when he was going on board the ship but not in company with Montgomery It seems that Martin gave a false statement as it is prohibited in every country to take liquor to any man-of-war privately.

I5th. Although it rained occasionally on the Ist September there was no spot of blood to be seen on the Bund or any other street, and the trace of fighting was not recognized in the neighborhood of Foreign Settlement to Funatsu in the Tomachi Mura. When we suggest that from the position of the man-of-war the nearest place where the two sailors landed on the afternoon of September Ist should be the neighborhood of Custom House in Nagasaki, but according to the inquisition it was stated that they went to grog-shops after landing. Therefore it seems that they had landed at No.6 Hatoba, opposite the Custom House examination place, Sagaramatsu.

Copy
No.1457.

United States Consulate,

Nagasaki, Japan,

December 21, 1897.

Rear Admiral F.V.McNair, U.S.N.,

Commander-in-Chief of U.S.Naval Force on Asiatic Station

Nagasaki.

Sir:

I have the honor to inform you that I have been notified by T.Adachi, Chief Superintendent of Police of Nagasaki Ken, that no further information was obtained by the police in regard to the death of William Montgomery, seaman of the U.S.S. YORKTOWN, than that contained in a letter dated September 27 1897, now in your possession.

He also informs me that it is the opinion of Japanese authorities that Montgomery met his death by drowning and not by violence according to the opinion of Japanese Police Surgeon.

At the Board of Inquest held on the body of William Montgomery at Nagasaki September 4th, 1897, Past Assistant Surgeon J.E.Page, U.S.Navy, states that in his opinion the deceased came to his death by drowning, having first been rendered unconscious by the infliction of either one or two wounds, one a contused wound on the right side of the head, and the other a laceratee wound about two inches long above the right ear.

I am, Sir,

Your obedient servant,

(Signed) W.H.Abercrombie,

U.S.Consul.

Enclosure No.2 with Mr.Buck's No.81 of date January 7th, 1898.

(Copy)

No.243-M.

United States Naval Force on Asiatic Station,

Flagship OLYMPIA,

Nagasaki, Japan,

December 27, 1897.

Sir:

I have the honor to inform you that I am in receipt of a letter of this date from the United States Consul at this port, stating that he has been notified by the Head Public Procurator of the District Court of Nagasaki, that the preliminary examination of the Japanese subjects suspected of the murder of the late Frank Epps, a member of the crew of this vessel, has been closed, and that the Judge has given decision against the accused; further, that it is the desire of the Japanese authorities to bring the case to public trial as speedily as possible.

As it is understood that the accused men are those arrested on the theory of Epps' having embarked at Inasa, I stil doubt their being the real criminals. It is to be remarked, however, that the strong pressure brought to bear upon the Japanese authorities, by yourself and the Consul, has compelled at least an apparent display of energy in seeking the murderers of Epps, which is in contrast to the listless course of action pursued in the case of Montgomery.

Very respectfully, your obedient servant,

(Signed) F.V.McNair,

Rear Admiral, U.S.Navy,

Commanding U.S.Naval Force on Asiatic Station.

The

The Honorable

The Envoy Extraordinary and Minister

Plenipotentiary of the United States,

Tokyo, Japan.

Enclosure No.3 with Mr.Buck's No.81 of date January 7th 1898.

(Copy)

No.1465. Consulate of the United States,

Nagasaki, December 29,1897.

His Excellency

Alfred E:Buck,

Envoy Extraordinary and Minister Plenipotentiary

of the United States,

Tokyo.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.43 of December 22nd, stating that by cablegram from the Secretary of State received on December 21st you were asked to report what action had been taken in regard to the murder of seamen of the YORKTOWN and OLYMPIA.

In reply thereto I have the honor to inform you that William Montgomery, the landsman on board the U.S.S.YORKTOWN, was found drowned in this harbor on September 3d,1897. As suspicious wounds were found upon the head of the deceased, strong suspicions of foul play were aroused. The Japanese authorities were immediately notified with the request that they investigate the circumstances.

At a board of inquest assembled by order of Commander C.H.Stockton, U.S.Navy, commanding the U.S.S.YORKTOWN, on September 3d, in the harbor of Nagasaki, Japan, on the body of William Montgomery, landsman U.S.Navy, found dead, it was the opinion of the board that the deceased came to his death at the hands of persons unknown and in the following manner:

That

That he was struck a blow on the back of the head with some blunt instrument which rendered him unconscious, and that he was knocked into the water by the force of the blow, or else thrown in afterwards and drowned.

The Japanese authorities and the U.S.Marshal, who was instructed to do all in his power to unravel the case, agreed however in the opinion that the wounds found on the head of the deceased were probably received by falling from the jetty on the rocks, and that his death was due to accidental drowning.

From the report sent to me by the Japanese authorities in regard to the steps taken by them in the matter, I am unable to state that ordinary diligence was not displayed by them in the conduct of the affair.

On the night of December 12th Frank Epps, an apprentice on the U.S.F.S.OLYMPIA, was murdered while coming from the shore to the ship in a native sampan. The circumstances as far as known are as follows:

At about 8:30 P.M.on the night of December 12th men on board the British sailing ship SAINT ENOCH heard scuffling and a cry for help from the sampan nearby. Two of the sailors jumped into a sampan and sculled to the spot, but not quick enough to intercept the sampanmen,who extinguished their light and got away, but they succeeded in picking up a cap with the OLYMPIA'S cap ribbon and Epps' name marked thereon.

Sworn statements were made before Captain C.V.Gridley, commanding the U.S.F.S.OLYMPIA by the Mate and one seaman of the SAINT ENOCH, stating that they saw seaman of the OLYMPIA struck by the sampanmen and pushed overboard.

Immediately

Immediately upon the receipt of information I communicated to the Chief Superintendent of Police, calling his attention to the fact that this was the second American seaman who had been presumably murdered by sampanmen in the neighborhood of Sagarimatsu Hatoba within the last six months, urgently requesting every effort should be made for the discovery of perpetrators of this crime.

On the morning of December 14th I received a verbal communication from Admiral F.V.McNair, requesting me to call upon the Governor and to state that unless an arrest should be made or other satisfactory evidence given of some energetic action taken for the discovery of the murderer of Frank Epps before 4 P.M. on that day, he would immediately telegraph to the United States Minister at Tokyo and the Secretary of the Navy at Washington, all the circumstances connected with the murder of the two American men of war's men at this port. I immediately called at the Kencho and delivered the message to the Governor through his Interpreter. I also informed him that should no arrest be made within 48 hours, I should also deem it my duty to communicate the facts to the Secretary of State and Your Excellency.

At 5 P.M. the same day the Governor of Nagasaki Ken and the Chief Superintendent of Police called at the United States Consulate, and informed me that no effort should be spared to bring the guilty parties to justice, but at present no arrest had been made. At 9 A.M. on the following day the Chief of Police called upon me and informed me that the sampanmen had been arrested.

At the preliminary examination of the prisoners before Judge K.Shano, a decision was rendered that the evidence adduced was sufficient to hold the prisoners for public trial.

Judge K.Shano, a decision was rendered that the evidence adduced was sufficient to hold the prisoners for public trial.

I have been informed that the trial will probably commence on the 6th proximo. At the close of the trial I will forward to Your Excellency a copy of the Judgement rendered.

To the prompt and decisive action of Admiral McNair, I attribute the zeal displayed by the Police authorities in the arrest of murderers of the late Frank Epps of the U.S.F.S. OLYMPIA.

I have the honor to be,

Sir, Sir,

Your obedient servant,

(Signed) W.H.Abercrombie,

U:S.Consul.

Enclosure No.4 with Mr. Buck's No.81 of date January 7th, 1898.

(Copy)

No.49.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, December 30, 1897.

Rear Admiral F.V.McNair,

Commanding United States Naval Force

on the Asiatic Station,

United States Flagship OLYMPIA,

Nagasaki, Japan.

Sir:

I have the honor to acknowledge the receipt of your Dispatch No.229-M of date the 23d instant, informing me of certain facts in relation to the murder of William Montgomery, U.S.Navy, of the YORKTOWN, and enclosing copies (I) of a letter of date September 14th last, from Y.Komobatsu, Governor of Nagasaki Ken, with which he submitted to Consul Abercrombie a statement of the meagre evidence adduced in the case up to that time; and enclosing also (2) a letter from Consul Abercrombie, of date the 21st instant, in which he states that he is informed by T.Adachi, Chief Superintendent of Police of Nagasaki Ken, that no evidence further than that above mentioned has yet been adduced, and that the Japanese authorities incline to the opinion that Montgomery met his death by drowning—failing, apparently, sufficiently to consider the wounds inflicted and the immediate cause of such drowning.

Owing to the probability of a change of Ministry such action as the Foreign Office may contemplate taking in this case and in the case of the murder of Epps may be somewhat retarded Be assured, however, that I shall continue to urge that the Nagasaki authorities be brought to take proper measures for

the

the apprehension of those guilty of both these crimes.

Very respectfully, your obedient servant,

(Signed) A.E.Buck,

United States Minister.

Enclosure No.1 with Mr.Buck's No.81 of date January 7th, 1898.

(Copy)

No.250-M.

United States Naval Force on Asiatic Station,

Flagship OLYMPIA,

Nagasaki, Japan,

January 2, 1898.

Sir:

I have the honor to acknowledge, with thanks, the receipt of your letter No.46, of the 27th ultimo, informing me of your action in bringing to the notice of H.I.J.M's.Minister for Foreign Affairs the cases of the murders of Frank Epps and William Montgomery, of the United States Navy, and transmitting a copy of a letter addressed by you to the United States Consul at Nagasaki in relation thereto.

These papers, with all other correspondence on this subject, have been turned over to Commodore George Dewey, U.S.Navy, who will tomorrow succeed me in command of the United States Naval Force on Asiatic Station.

Very respectfully your obedient servant,

'Signed) F.V.McNair,

Commanding U.S.Naval Force on Asiatic Station.

The Honorable

The Envoy Extraordinary and Minister

Plenipotentiary of the United States,

Tokyo, Japan.

Enclosure No 6, with Mr Buck's No 81, of date January 7th 1898.

No. 56.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 6, 1898.

W.H. Abercrombie, Esquire,

Consul of the United States,

Nagasaki, Japan.

Sir:

I have to acknowledge the receipt of your Dispatch No. 1465 of date December 29th, 1897, in reply to my Instruction No. 43 of date December 22nd last, in which you give information respecting the supposed murder in Nagasaki harbor on or about the night of September 1st last, of William Montgomery, landsman, U.S.N., serving on board the U.S.S. YORKTOWN: and also respecting the murder of Frank Epps, apprentice U.S.N., serving on board the U.S.F.S. OLYMPIA.

I trust that the real murderers of Epps will be adequately punished and that that event may prove that the authorities at Nagasaki are now prosecuting the case with sincere earnestness and vigor——a course which I am confident that you will continue to spare no effort to bring about.

Although it is gratifying to hear that in view of the reports of the Japanese authorities you cannot state that ordinary diligence was not exercised by them in investigating the affair of Montgomery's death, yet I hope that further efforts may still be made to ascertain whether murder was committed,

in

in that case, as you state was the opinion of the Board of Inquest, and, in the event that it was, to bring the criminals to justice.

I am, Sir,

Your obedient servant,

(Signed) A. E. Buck,

United States Minister.

DIPLOMATIC,
FEB 8 1898
BUREAU.

2D ASSISTANT SECRETARY,
Note by subject & file.
FEB 8 1898

No. 82.

INDEX BUREAU
REC'D.
8 FEB 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 15, 1898.

Japan
Jan 9/98
C.

Mr. Buck

to the Secretary of State.

Subject:

The new Cabinet formed by Marquis Ito.

No. 82.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 15, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

Referring to my Dispatch No.77 of the 7th instant, reporting the resignation of the Matsukata Cabinet, and that Marquis Ito had been intrusted by His Majesty the Emperor with forming a new Cabinet, I have the honor to inform you that with much difficulty, it seems, and after some two weeks of effort, the Marquis has succeeded, and on the 12th instant the names of the members of the new Cabinet were officially announced and they at once entered upon the duties of their respective offices. They are:

Marquis Ito, Minister President of State.

Count Inouye, Minister of State for Finance.

Viscount Yoshikawa, Minister of State for Home Affairs.

Marquis Saionji, Minister of State for Education.

Viscount Lieut.-General Katsura, Minister of State for War.

Baron Ito, Minister of State for Agriculture and Commerce

Baron Suyematsu, Minister of State for Communications.

Mr.Sone, Minister of State for Justice.

Marquis Saigo, Minister of State for the Navy.

Baron

Baron Nissi, Minister of State for Foreign Affairs.

Political parties in Japan are more the personal followings of individual leaders than made up upon great political or national issues, though it would seem that the new Cabinet to a great degree represents the various elements opposed to the late Government, and is in opposition to the scheme of military expansion as proposed by the former administration. The Cabinet as a whole is homogenious and appears to be regarded generally, in respect to the ability of its individual members, as strong an one as it was practicable to obtain. It is supposed to be in sympathy with what is known as the Liberal Party. It is prëeminently an Ito Cabinet, and, it is claimed that it will be dominated by him, especially as to the action of the Government pertaining to foreign affairs.

The Minister for Finance, Count Inouye, is perhaps, next to Marquis Ito, the strongest man in the Cabinet. Having been a long time in public life, though of late not officially connected with the Government, and having retained the respect and confidence of all classes, his selection as Minister for Finance has been well received.

Marquis Saigo, Minister for the Navy, and Baron Nissi, recently appointed Minister for Foreign Affairs in the late Cabinet to succeed Count Okuma, both are brought into the new Government seemingly to the satisfaction of the elements of the various factions, which are at present favorable to, if not in support of, marquis Ito as Minister President of State.

Viscount Yoshikawa, Minister for Home Affairs, was educated, as I am informed, in the United States; was once Junior Vice Minister for Foreign Affairs; and was subsequently, as I

learn

learn, Minister for Justice under the former Ito Governments.

Marquis Saionji, Minister for Education, was once Minister to Germany. He was also at one time Minister for Education, and later Minister for Foreign Affairs also——holding both positions under the last Ito Government.

As to the other four members, Viscount Katsura, Minister for War, Baron Ito, Minister for Agriculture and Commerce, Baron Suyematsu, Minister for Communications, and Mr.Sone, Minister for Justice, I can only state that they are men of national reputation and are regarded as strong adherents to and supporters of Marquis Ito in his political fortunes and policy.

I enclose herewith an editorial cut from the Japan Mail of the 13th instant, giving a brief sketch of the life and services of each of these, and containing a list of all the members of the Cabinet with some interesting comments.

Marquis Ito has twice before been Minister President of State. He has enlightened views of the advancement of the interests of his country by the welcome and protection of foreig residents,. His public utterances from time to time, especially his speech, a few months ago, touching upon the dangers of inculcating in the schools an anti-foreign sentiment, as shown by a newspaper cutting with my Dispatch No.49 of October 27th last, are, I understand, in keeping with his private utterances and his public acts. Considering the reputation and long experience of Marquis Ito in affairs of state and his past record in behalf of the advancement of Western civilization in Japan, with him at the head of the administration it is supposed that it will be more for the advantage of foreign interests and foreign residents in this country than would have been the case

with

with any other person who might have been selected to construct a Cabinet. During Marquis Ito's administration I think a liberal policy by the Government , as regards its foreign relations, may be expected.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosure:

Clipping in duplicate from the Japan Mail of January 13th, 1898, as above.

Enclosure with Mr. Buck's No 82, of January 15th, 1898.

The Japan Daily Mail.

YOKOHAMA, THURSDAY, JAN. 13, 1898

THE NEW CABINET.

The members of the new Cabinet were duly installed yesterday (12th instant) at the Palace.

Minister President.....Marquis Ito.
Minister of—
Foreign Affairs .....Baron Nishi.
Finance.....Count Inouye.
Home Affairs .....Viscount Yoshikawa.
Education .....Marquis Saionji.
War .....Viscount Katsura.
The Navy.....Marquis Saigo.
Agriculture and Commerce...Baron Ito Miyoji.
Communications .....Baron Suyematsu.
Justice .....Mr. Sone Arasuke.

Count Matsukata is relieved of office at his own request, the Emperor ordering that the privileges of his previous position be continued to him; and the resignations of Viscount Takashima, Count Kabayama, Viscount Nomura, Mr. Kiyoura, Mr. Hamao and Baron Yamada are accepted. At this moment of writing the *Gazette* has not announced any new offices for the retiring Ministers, but it may be presumed that, in the case of some of them at all events, Privy Councillorships or Court Councillorships will be provided. Mr. Hamao's position is especially unfortunate, for he left the permanent and distinguished post of President of the Imperial University to take the portfolio of Education, and now, after a few weeks' tenure of the latter, he is without an appointment of any kind.

It has generally been the custom to consider the clan affinities of the statesmen forming a Cabinet, and though we think that such questions have ceased to possess any practical significance, it may not be uninteresting to make the usual analysis on the present occasion :—

Marquis Ito (Minister President) .....Choshiu.
Count Inouye (Finance) ..... do.
Viscount Katsura (War)..... do.
Mr. Sone (Justice) ..... do.
Marquis Saigo (Navy) .....Satsuma.
Baron Nishi (Foreign Affairs) ..... do.
Viscount Yoshikawa (Home).....Tosa.
Marquis Saionji .....*Kuge* (Court Noble).
Baron Ito Miyoji .....Hizen.
Baron Suyematsu.....Buzen.

Thus six out of the ten portfolios are held by Choshiu and Satsuma statesmen, four by the former and two by the latter.

Four of the new Ministers have never before been members of a Cabinet, namely, Viscount Katsura, Baron Ito Miyoji, Baron Suyematsu and Mr. Sone.

Mr. Sone may be said to have made his *début* at the Restoration. He served with distinction in the Government army, and in 1868 was appointed to the command of a company of the Imperial Guards. In 1872, the War Department sent him to study in France, whence he returned in May 1877, and two years later became a Seventh-class official of the Department, receiving, in 1881, the additional post of Secretary to the Cabinet, then called the *Dajokwan*. His next position was that of Governor of Oita Prefecture, and in 1885 we find him a Counsellor of the Legislative Bureau. Subsequently he served as Chief of the Bureau of Archives in the Cabinet and as Secretary of the Legislative Bureau. He had by that time established such a reputation for acumen and tact, that when the Diet was convoked for the first time, he was nominated Chief Secretary of the House of Representatives, and had to sit, *ex officio*, as acting President of the House during the stormy debates with which its proceedings opened. His conduct throughout that difficult time greatly increased the confidence reposed in him. After the second session of the Diet had ended in the dissolution of the Lower House, Mr. Sone resigned his official appointment, and offered himself as candidate for the fourth district of Yamaguchi Prefecture in the general elections. He was returned and the Lower House chose him to be its Vice-President. In May, 1893, he re-entered official life, receiving the appointment of Japanese Representative in Paris. Mr. Sone is strongly *lié* with Marquis Yamagata.

Baron Ito Miyoji was born in 1857 in Nagasaki, and therefore enjoys the distinction of becoming a Cabinet Minister in in his forty-first year. In 1877 he received an appointment in the *Kobusho*—Department of Public Works—, and subsequently served as Assistant-Secretary in the Home Department and in the Cabinet; as Junior Secretary in the Cabinet, and as Secretary of the Senate. In 1882 he accompanied Marquis (then Mr.) Ito to Europe, visiting Russia when the Marquis proceeded thither as Special Ambassador. On his return he became, in succession, Assistant Chief Secretary of the Cabinet, Private Secretary to Marquis Ito and Chief Secretary of the Cabinet, and when Marquis Ito went to China in 1885 as Special Ambassador, Mr. Ito Miyoji accompanied him. Marquis Ito, after his return, became Minister President of the newly organized Cabinet, and appointed Mr. Ito to be his Private Secretary. In 1886, the Emperor of Russia conferred a decoration on Mr. Ito, and in that year he was appointed Secretary to the Privy Council, becoming, subsequently, Chief Secretary, and—in Sept. 1892—Chief Secretary of the Cabinet. Mr. Ito was sent to Chefoo in May 1895 to exchange the ratifications of the Shimonoseki Treaty and was raised to the peerage with the patent of Baron for distinguished services on that occasion, and during the war with China. He is a man of extraordinary ability, and his entry into the Cabinet has long been regarded as a mere question of

time. The public understands that it was through his agency that the Liberal Party gave its support to the Ito Cabinet in 1895. Indeed, so closely has Baron Ito come to be associated with the Liberals in the eyes of people in general that when the inexpediency of establishing any relations with a political party at the present juncture was recognised by Marquis Ito, rumour confidently asserted the improbability of Baron Ito's accepting a portfolio. Baron Ito Miyoji, Baron Suyematsu Kencho, Mr. Kaneko Kentaro and the late Viscount Inouye Ki used always to be spoken of as the Four Deva Kings (*Shi-tenno*) who served Marquis Ito as the supreme being. Viscount Inouye was the first to obtain Cabinet rank, as Minister of Education; Barons Ito and Suyematsu now receive portfolios, and Mr. Kaneko Kentaro was at one time confidently spoken of as the most probable Minister of Agriculture and Commerce.

Baron Suyematsu Kencho was born in the province of Buzen and received his education at the School of Foreign Languages in Tokyo. He became a member of the *Nichi Nichi Shimbun's* staff, and received his first official appointment as an employé of the Cabinet in October 1875. He accompanied Count Kuroda when the latter was sent at that time to obtain satisfaction for the Korean outrage and to conclude a treaty with the peninsular Kingdom, and after his return, he became an official of the Department of Public Works in 1876, being employed at the same time in the Legislative Bureau. He rose to be Assistant-Secretary in the latter Bureau, and then saw some service in the Satsuma Rebellion when he was attached to the Staff of the Commander-in-Chief. In January 1878, he undertook a series of investigations into English and French historical compilations, and was then transferred to the Foreign Office as Third Class Secretary and appointed to the Legation in London, but he soon resigned that post for the purpose of studying at Cambridge University, where he obtained the degrees of Bachelor of Law and Bachelor of Arts. Returning to Japan in 1886, he became a Counsellor of the Department of Education, and was afterwards transferred to the Home Department in the same capacity, rising to be Chief of the Bureau of Local Government in that Department in 1887. Two years later, he obtained *Chokunin* rank, and also had the honour of being among the first batch of Japanese scholars upon whom the degree of *Hakase* was conferred, this title being Doctor of Literature (Bungaku Hakase). In 1892 he became Chief of the Legislative Bureau. For distinguished service during the war with China he was raised to the nobility with the patent of Baron. Mr. Suyematsu, like Mr. Sone Arasuke, resigned his official position in 1893 and entered the Lower House, where he showed considerable ability as a debater. He is recognised as a man of strong talent and great force of character, and he has an exceptional faculty of winning friends.

Lieut.-General Viscount Katsura, like many prominent Japanese of the *Meiji* era, has had a career partly in the civil service, partly in the military. He began life as a soldier, and in his twentieth year (1868) commanded a company in the force that marched to Oshiu against the Aizu clan, on which occasion he distinguished himself so much as to receive a life pension of 250 *koku* of rice annually. In 1870, he proceeded to Germany at his own charges for purposes of study, and was fortunate enough to follow the Prussian forces in the war with France thus acquiring invaluable experience. After 3 years' study, he returned to Japan in December 1873, and in January 1874 was gazetted a captain of infantry, receiving his majority six months afterwards. He went to Germany as military attaché in March, 1875, and coming home in 1878, was appointed, successively, Secretary and Assistant Chief Secretary of the Cabinet. In 1882, he became a Colonel of Infantry, and the following year, made his third trip to Europe in the train of Marquis (then Mr.) Oyama, Minister of War. After his return, in 1885, he was raised to the rank of Major-General, and served in the War Department, of which be became Vice-Minister in 1886. His next post was Chief of a Bureau in the same Department, and in 1890 he was promoted to be Lieut.-General, receiving the command of the Third Division in the followlng year. He commanded a Division in the Army that marched from Sōul *viâ* Ping-yang and Wiju into Manchuria, in 1894, and he subsequently directed the operation of the wing of that Army in its campaign from the littoral of the Yellow Sea to the Liao River and Newchwang. His success in the field was very marked, and the Emperor recognised it by raising him to the nobility with the patent of Viscount. This distinguished officer was nominated Governor-General of Formosa after Count Kabayama's resignation of that post, but he did not proceed to the island and resigned the office when the Matsukata Cabinet came into power. He speaks German fluently, and has shown himself to be possessed of military and organizing capacities of the highest order.

It is worth noting that, out of the 10 Ministers forming the new Cabinet 9 speak foreign languages; thus—Marquis Ito (English), Count Inouye (English), Viscount Katsura (German and English), Mr. Sone (French), Baron Nishi (Russian and French), Marquis Saionji (French), Baron Ito (English), Baron Suyematsu (English) and Viscount Yoshikawa (English).

The policy of the new Cabinet must remain for the present a matter of conjecture. It has been generally understood that Count Inouye and Viscount Katsura are in favour of reducing the scheme of Army Expansion. Not, indeed, to the extent of re-placing the Army on its old footing, as has been asserted in some quarters, their idea is less drastic. Count Inouye is reported to advocate an expansion of fifty per cent. compared with the former establishment, instead of a hundred per cent. as contemplated by the programme passed by the Diet. It was recently alleged that Count Inouye had insisted on that change as a condition of his accepting the portfolio of Finance, but the *Jiji Shimpo* denies that he did so, and explains that the advantages of such a measure would be few at the present juncture, while, on the other hand, the circumstances of the time are opposed to it. Nevertheless Count Inouye and Viscount Katsura entertain certain views about reform of the Army administration, and to that they intend to give effect.

Marquis Ito, according to the *Chuo Shimbün*, has admitted very frankly that statesmen in power can no longer afford to turn their backs upon political parties. At the same time, the Marquis comments with some severity on the habit of party politicians in calling upon the Ministry to respect public opinion. Nothing could be pleasanter or more satisfactory for statesmen than to shape their policy in accordance with public opinion, but the question is, where can an exact expression of public opinion be found. After the war with China the Japanese people's estimate of themselves was that they had made great progress, but when the facts are dispassionately considered, the so-called "great progress" is seen to be measured by Oriental standards: it does not by any means reach the level of Occidental progress. In no direction does the foreign policy of Western States show greater activity at present than in Africa and in the East, yet the statesmen that control it do not find themselves always in touch with public opinion. As for Japanese public opinion, it is far behind the point attained by public opinion in Europe, nevertheless Japanese statesmen have to keep their foreign policy in touch with the foreign policy of European nations. It is a difficult task, and the party politicians who claim for themselves the credit of representing public opinion, would do well to consider the facts with a little care.

2D ASSISTANT SECRETARY,
FEB 8 1898
DIPLOMATIC,
FEB 8 1898
BUREAU.

No. 83.

INDEX BUREAU
REC'D.
8 FEB 1898
DEPT. OF STATE

Read and
No Com. on For Relations
" " Affairs
" " Appropriations (Senate)
Feb. 11/98 C.

Instructed Mr. Buck: Mch. 15/98 to submit estimate for a new building for submission to Congress

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 17, 1898.

Mr. Buck

to the Secretary of State.

Subject:

The necessity of a new system of heating for the Legation building, and of a fire-proof vault for the preservation of the records—transmitting plans and estimated cost.

No. 83.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 17, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to represent that, considering the cold winter weather of Tokyo and the inadequate means of heating at the Legation which we now have, there is great necessity of the adoption of some better method.

The main building of the Legation, comprising the Minister's residence and the offiees, cannot be made comfortably warm by means of the small coal grates, or by use of stoves, on account of the large size and height of the rooms, as also because of the house's having been shabbily built—with reference, as it seems, only to warm weather. Hence I earnestly recommend that a hot water heating apparatus be provided.

A plan of the house and an estimate of the cost of putting in the apparatus I beg to submit herewith for the consideration of the Department and for submission to Congress, if that should be found necessary, and if the Department should approve of the proposition.

It will be seen from the estimate that the expense to be incurred for the heating apparatus would not exceed $1960.00

It

It may be proper to add that I am assured by the architect that such an apparatus, with all its connections, piping, radiators, etc., with very small expense, could be transferred and put into a new Legation building, which is very much needed.

In this connection it may not be improper to enclose an editorial cut from the Japan Mail of December 22nd last, which I do, as showing the character of the building, in the opinion of people here, and the comparison made between the Legation houses of other countries in Tokyo and that of the United States.

The plan submitted also includes an estimate of the cost and the plan of a fire-proof vault for the protection of the records of the Legation. As to the importance of such a vault I made a statement in my Dispatch No.42 of date October Ist, last, In case of fire, considering the inefficiency of the fire department of Tokyo, and its inadequate means for putting out fires, it would be impossible to save the records, unprotected from fire as they now are.

The vault can be built in the northern end of the office part of the building, as marked in the plan submitted, by building it in the room of a stairway hall now unused and unnecessary for a stairway, and a little room adjoining, now used as a store-room. The vault would be eight (8) feet by eighteen (I8) feet in dimensions and would cost not to exceed $I000.00, as estimated.

I have the honor to be,

Sir,

Your obedient servant,

Alex Buck

Enclosure:- Clipping from Japan Mail of December 22d, I897, (No.2); plan of Legation building, showing suggested system of heating, and location of suggested fire-proof vault, with estimates of cost of both the latter (Enclosure No.I)

Enclosure No 2 with Mr Buck's No 83, of January 17th, 1898.

The Japan Daily Mail.

YOKOHAMA, WEDNESDAY, DEC. 22, 1897.

LEGATIONS IN TOKYO.

The new Legation of Austria-Hungary in Tokyo is rapidly approaching completion. It stands inside the Yotsuya gate in Kioicho, just opposite the residence of his Imperial Highness Prince Kacho, commanding a beautiful prospect in every direction and occupying one of the most eligible sites in Tokyo. Until the scaffolding is removed, the ultimate appearance of the building is difficult to judge, but the proportions suggest a fine structure, of an aspect at once handsome and pleasing. Mr. Conder is, we believe, the architect, and he seems to have been as successful as he was with the German Legation, completed a few months ago. It may now be said that the Representatives of Great Britain, Germany, Russia, Italy, and Austria-Hungary are worthily housed in the capital of Japan. France has a good though not an elevated site, but has hitherto been content with a building which, having been designed orginally for the residence of a private Japanese gentleman, falls somewhat short of the standard of a Legation. She will doubtless redress the balance before many years. Spain possesses an excellently situated plot of land—at the back of the Peeresses School—but it may be presumed that the stupendous financial efforts which she has recently been obliged to make on account of military affairs, do not leave her much leisure for legation-building in the Far East. The Brazilian Minister has been eminently practical. Unable to find in Tokyo any private house capable of accommodating his family and his staff, he appropriated the whole of the Tokyo Hotel, and by a few dextrous changes, converted it into a suitable, though of course a very-far-from-picturesque, domicile. It is a pity that some one does not deal similarly with the Imperial Hotel. Its principal achievement at present is to create among foreigners a conviction that the Japanese are a thriftless people, without organizing capacity or intelligent observation. As for the Legation of the United States, the tardiness of the Washington Government to provide a suitable building is becoming a subject of public comment. The site is spacious and admirably situated, but the house is a wooden structure of the flimsiest description. Hastily run up and roughly put together at the outset, the passage of years has deprived it of its only title to respectability, newness, and it is now a veritable eye-sore, as ugly as it must be uncomfortable. It can never have been intended to be anything but a very temporary structure for it is huddled away in the southerly corner of the grounds so that the principal rooms face west and north, aspects almost unendurable for a residence in the climate of Japan. Such an extraordinary situation must have been chosen solely for the purpose of leaving the northerly side of the grounds available for building operations, but as year follows year without any sign of an attempt to build, the whole thing is growing quite a jest. We must say that considering the immense wealth of the United States and the magnitude of American interests in Japan, the Government's carelessness in this matter is unaccountable. The consulate-general in Yokohama is a poor enough affair in all conscience, but the Legation in Tokyo is incomparably poorer, and even as Englishmen we do not like to see the stars and stripes floating over such an edifice.

"GREAT JAPAN."

We observe that what we wrote about e expression "Great Japan" has given e to some misunderstanding. The *apan Times* concludes that we interpret e name to be that of the main island ly, as distinguished from the smaller ands forming part of the Japanese em- re. Perhaps we wrote loosely, not deem- g it necessary to guard against an terpretation obviously so untenable. ur meaning was that the use of the word reat" (*dai*) probably had its origin in desire to distinguish the main island from e adjacent islets. Ultimately, as every e knows, the term *Dai Nippon* came to applied to the whole group of islands, t the question of interest is, how and hence did the prefix "great" originate. as it a geographically distinctive prefix, did some one conceive the idea of using for the purpose of glorifying Japan? e have no information bearing upon the estion, but have always supposed that e employment of the prefix was sug- sted by the comparatively large size of e main island, and that, as time went , the logic of the term became obscured the habit of employing it.

The *Japan Times* says that the prefix Great" (*Dai*) was originally adopted in e case of this country because the Chin- e sovereigns, in their official communi- tions to the Japanese Court, always scribed their dynasty as the "Great ng," or the "Great Tsing," and so on. he Japanese, according to our contem- rary's view, deemed it essential to the eservation of the national dignity that a sing Sun Rowland should be given for Celestial Oliver, and so they called ir country "Dai-Nippon." That is a y interesting but not a novel suggestion, bable enough on the face of it. Of rse, our idea as to the geographical gin of the prefix *Dai* was purely conjec- al. It seemed not unlikely that as the nd of *Nippon* received the distinctive ellation *Hondo*, or "main island" so it ght ultimately have come to be called *i-Nippon*, or "big Nippon," in con- distinction to the very much smaller nds —as Kiushu, Shikoku, Yezo, Tsu- ma, etc.—that were incorporated with n the empire of Japan. The *Japan nes* calls our suggestion "a fantastic ory propounded in a moment of thought- sness." It may be fantastic. As to t the public can judge. But it certainly s not "propounded in a moment of ughtlessness." We have never dis- vered in early Japanese history any idence that bears out the derivation hich our contemporary now endorses. hinese annals, exceedingly scrupulous as the etiquette of names and titles, do t fail to note the styles adopted by fo- ign potentates in addressing the ruler the Middle Kingdom. They take care- account of the fact that the Emperor ommu—or Wen-wu, as they call him— med his reign *Tai-ho* (*Ta-pao*), but of rse readers of Japauese history are well are that the term *Tai-ho* was adopted account of the discovery of precious tals in Japan, and not with any idea of alting the rank of the State. It seems ficult to believe that if the Japanese had opted the honorific *Dai* merely as a set- against the Chinese *Ta*, no explicit tice of the fact should be found in the nals of either empire. Such a notice y, indeed, exist, and the editor of the *Japan Times* may be acquainted with it. If so, he would place the public under an obligation by stating the reference. Meanwhile, we admit that his theory is very plausible, and that it derives force from the recent action of the Koreans, who signalized the elevation of their petty Kingdom into an empire by adopting for it the title of *Tai-Kan*. In short, this hypothesis amounts to saying that *Ta*, *Dai* or *Tai* has the significance of "imperial" or "royal" rather than that of "great" when used as a prefix to the name of a country.

THE BUDGET FOR 1898-9.

The Budget for next fiscal year, taking the appropriations for the Departments at the figures originally sent in to the Finance Minister, totalled 258,830,000 *yen*, according to the *Jiji Shimpo*. From that amount the Minister cut off 28,610,000 *yen*, reducing the total to 230,220,000 *yen*. Owing, however, to vehement complaints preferred by the various Departments, it was finally decided to restore 3,953,000 *yen*, so that the ultimate figure stood at 234,170,000 *yen*. The greater part of the restorations was on account of public works, but some was for increases of salaries and of staffs. Additional outlays on these latter accounts are, of course, certain to be severely criticized, and the Finance Minister was most unwilling to make any appropriations for them. But the Departments concerned made offer of a compromise, cutting down their outlays under items of new enterprises provided that the Minister agreed to the proposed increase of Administrative expenditures. It is most unlikely, however, that the Diet will consent to any increase of the kind, its normal outcry being for economy in that very direction. Hence the Departments may look forward to getting neither the blue-bottle nor the bee, as the Japanese proverb has it.

COUNT MATSUKATA.

If we may credit a story told by the *Nippon*, Count Matsukata has again been the recipient of advice pointing to his resignation. On this occasion the advisers are said to have been Baron Iwasaki, Mr. Oishi Masami and another. They proceeded to the Premier's house on the 15th inst., and told his Excellency that popular opinion being now irrevocably unfavourable to him, and the attitude of foreign Powers towards the Far East being such as to cause much uneasiness, nothing could be more unfortunate for his own reputation as well as for the national interests than to provoke a fruitless conflict with political parties. They therefore urged him to resign. Count Matsukata is represented as having betrayed symptoms of great regret and as having indicated his sense of the mistakes committed by Count Kabayama and Viscount Takashima, to which he attributed the present embarrassing state of affairs. He declared his determination to refrain hereafter from manœuvering with political parties; to submit his policy in a straightforward manner to the Diet, and to resign at once if he found a majority opposed to him. It appears to us that the *Nippon*, in constructing this story, has travelled very far beyond the limits of public credulity.

LEGATIONS IN TOKYO.

The new Legation of Austria-Hungary in Tokyo is rapidly approaching completion. It stands inside the Yotsuya gate in Kioicho, just opposite the residence of his Imperial Highness Prince Kacho, commanding a beautiful prospect in every direction and occupying one of the most eligible sites in Tokyo. Until the scaffolding is removed, the ultimate appearance of the building is difficult to judge, but the proportions suggest a fine structure, of an aspect at once handsome and pleasing. Mr. Conder is, we believe, the architect, and he seems to have been as successful as he was with the German Legation, completed a few months ago. It may now be said that the Representatives of Great Britain, Germany, Russia, Italy, and Austria-Hungary are worthily housed in the capital of Japan. France has a good though not an elevated site, but has hitherto been content with a building which, having been designed orginally for the residence of a private Japanese gentleman, falls somewhat short of the standard of a Legation. She will doubtless redress the balance before many years. Spain possesses an excellently situated plot of land—at the back of the Peeresses School—but it may be presumed that the stupendous financial efforts which she has recently been obliged to make on account of military affairs, do not leave her much leisure for legation-building in the Far East. The Brazilian Minister has been eminently practical. Unable to find in Tokyo any private house capable of accommodating his family and his staff, he appropriated the whole of the Tokyo Hotel, and by a few dextrous changes, converted it into a suitable, though of course a very-far-from-picturesque, domicile. It is a pity that some one does not deal similarly with the Imperial Hotel. Its principal achievement at present is to create among foreigners a conviction that the Japanese are a thriftless people, without organizing capacity or intelligent observation. As for the Legation of the United States, the tardiness of the Washington Government to provide a suitable building is becoming a subject of public comment. The site is spacious and admirably situated, but the house is a wooden structure of the flimsiest description. Hastily run up and roughly put together at the outset, the passage of years has deprived it of its only title to respectability, newness, and it is now a veritable eye-sore, as ugly as it must be uncomfortable. It can never have been intended to be anything but a very temporary structure for it is huddled away in the southerly corner of the grounds so that the principal rooms face west and north, aspects almost unendurable for a residence in the climate of Japan. Such an extraordinary situation must have been chosen solely for the purpose of leaving the northerly side of the grounds available for building operations, but as year follows year without any sign of an attempt to build, the whole thing is growing quite a jest. We must say that considering the immense wealth of the United States and the magnitude of American interests in Japan, the Government's carelessness in this matter is unaccountable. The consulate-general in Yokohama is a poor enough affair in all conscience, but the Legation in Tokyo is incomparably poorer, and even as Englishmen we do not like to see the stars and stripes floating over such an edifice.

FOREIGNERS AND JAPANESE SECURITIES.

There is a good deal of desultory talk just now about the expediency of allowing foreigners to purchase shares in Japanese companies. The general tendency is evidently in favour of removing all restrictions, to the end that foreign capital may be attracted to Japan. We observe with some surprise that the subject is treated as though it were novel, whereas it has often been discussed from one point of view at any rate. Time and again foreign local journals have charged the Japanese with pettiness and illiberality because they did not place their railway shares and so forth within reach of foreign investors, and time and again it has been pointed out, by way of reply, that so long as Treaty Limits exist and so long as trade beyond them is interdicted to aliens, foreign ownership of such securities would be illegal. For, most unquestionably, any person holding shares in a railway that runs beyond Treaty Limits, or in a tramway company, or in a factory situated in the provinces, must be considered to be trading in the interior. If it be lawful for him to own shares, it must be lawful for him to exercise the functions of a shareholder and take part in the control or supervision of the company's business, which means that he would be trading beyond Treaty Limits. Moreover, he would not be amenable to Japanese law in respect of violations of the company's regulations, or of acts exposing him to claims on the part of Japanese subjects doing business with the company. Hence the discussion now taking place, as to whether the share market generally should be thrown open at once, must be counted premature. Nothing of the kind can be accomplished until Consular Jurisdiction is abolished. Another thing is quite certain, namely, that foreigners before becoming shareholders in any company will want to have a voice in the management of the company's affairs. Without that, they will never invest to any considerable extent. Whether the ownership of shares does not involve part ownership of all a company's property—land, buildings, machinery, and so forth—is another question that has to be considered.

THE YORO-IN.

The letter from Mr. J. Cooper Robinson, which appears in our correspondence columns, is interesting not merely for its own sake but as showing the spirit of charity that pervades the foreign community of Yokohama. That men like Mr. Robinson are to be found in no small number, men that devote their lives to acts of benevolence, is happily a truth with which all are familiar. Moreover, at times of public calamity or wide-spread disaster, the lists of subscriptions contributed by the foreign communities in the Settlement indicate a disposition truly worthy of praise. But in this story of the *Yoro-in* at Nagoya we catch a glimpse of an under-current of charitable effort which flowssilently and unostentatiously, carrying to the unfortunate succour and comfort of which the donors and the recipients are alone cognizant. The "Four Girls" and their "fair" suggest the outlines of a beautiful picture whose details imagination delights to fill in.

THE HAWAIIAN QUESTION.

The *Hawaiian Annual* for 1898 gives a *précis* of the complications that occurred last year in connexion with Japanese immigration. According to the writer of the *précis*, the whole question turned on the *bonâ fides* of the immigrants' possession of fifty dollars each. He alleges that at first the immigrants were all contract labourers, but that several thousands were subsequently brought over by Japanese emigration companies which lent each man fifty dollars to show to the Hawaiian Authorities on landing, in order that he might qualify for admission as a free labourer, the money being returned immediately afterwards to the lenders. The Hawaiian Government, he goes on to say, becoming aware of this fraud, subjected the immigrants to a strict scrutiny, and finding that only a small percentage of them were *bonâ fide* owners of the regulation sum, summarily refused to allow the others to remain. It may be assumed, we suppose, that the version contained in the *Hawaiian Annual* is the version generally accepted in Hawaii, and if that be so, the Hawaiians are doubtless convinced that Japan is wholly in the wrong. But the facts as they appear from the official correspondence, are very different. The Hawaiian Government based its action in sending away the immigrants, not on the *mala fides* of their monetary qualification, but on the allegation that while professing to be free labourers, they had in reality come under contract, their contract being with the Japanese Emigration Company which provided a steamer to bring them over. The mere fact of coming under contract would not have disqualified them, of course; but Hawaiian law requires that such contracts shall receive the endorsement of the Hawaiian Immigration Authorities before being implemented, and no endorsement had been sought in the case of these particular Japanese. It was an extraordinary position for Hawaii to take. The contract contemplated by Hawaiian law is a contract between the labourer and the planter into whose service he is about to enter. The contract between the rejected immigrants and the Emigration Company was a contract relating solely to their return passage in the event of their failure to find employment. It did not concern the Hawaiian Authorities in any way, except that it furnished an additional guarantee against the contingency which the Immigration Law was specially framed to avert, the contingency of an immigrant's being left without employment, sustenance or means of leaving Hawaii. We have never been able to comprehend how the Hawaiian Government expected to find in such a plea any solid basis for its action. That, however, was the basis that it selected. Not until long after the event, not until the rejected immigrants had returned to Japan and dispersed to their houses—so that any intelligent investigation of their pecuniary circumstances at the time of their landing at Honolulu had ceased to be possible—did the Hawaiian Government supplement its original contention by a reference to the *bona fides* of the men's possession of fifty dollars. Naturally Japan declined emphatically to entertain that belated plea. Hawaii was in fact playing fast and loose; at one moment calling the men contract labourers and challenging their qualifications as such; at another, calling them free labourers and impugning their qualifications in that character. The *Hawaiian Annual's* version is evidently based on mere hearsay.

TOKYO LITERARY AND MUSICAL SOCIETY.

The Tokyo Literary and Musical Society met on the evening of the 18th instant in the Hall of the Parish Building, Tsukiji. About fifty members were present. His Excellency the United States Representative presided, and called upon the special committee appointed at the previous meeting for the purpose of compiling rules, to present its report. The Committee submitted a draft of the rules, and after a brief debate they were endorsed by the meeting with some trifling amendments. It is unnecessary to publish the rules in detail, but we may explain that their chief provisions were that the Society should have a President, two Vice-Presidents and a Standing Committee of nine —not less than four of the latter being ladies—, elected annually; that all the business of the Society should be entrusted to the standing Committee, and that the meetings should be every alternate Monday. His Excellency Colonel Buck was elected President, and for Vice-Presidents the choice fell upon Mr. Von Treutler, German *Chargé d'Affaires*, and Captain Brinkley. This business concluded, the following programme was performed, each of the pieces being rendered most successfully :—

Pianoforte Solo .....Polish Dance
Miss Schereschewsky.
Recitation .....The Rivals.....Miss Spencer.
Double Duet." Merrilie Singing ".Mrs. Wadman, Miss Allen, Miss Spencer, Mrs. Garst.
Violin Quartette....." Cavelleria Rusticana "
The Misses Page and Mr. Noel Page.
Recitation..." Love in a Balloon "...Miss Spencer.

"ENFORCEMENT."

The *Japan Times* is "at a loss to understand the importance which seems to be attached by our Yokohama contemporaries to the word 'enforcement' as applied to the operation of treaties in this country." Well, indeed, may our Tokyo contemporary be surprised. This affair, utterly paltry in itself, has furnished a striking example of the almost phenomenal disingenuousness of certain Yokohama newspapers. They themselves, finding the term "enforcement" in a clumsy translation made by their own *employés*, wrote paragraphs complaining of the spirit displayed by the use of such a word. The Japanese Government, they said, had appointed a committee to make preparations for "enforcing" the Revised Treaties, from which it might be inferred that the unfortunate foreigner was to be mercilessly forced to implement his bad bargain. We pointed out that the Japanese word translated "enforcement" had no such significance as that assigned to it: it meant merely "putting into operation." At that one of the journals in question turned round and asked why on earth the *Japan Mail* was making a fuss about a term: the Treaties would have to be put into force any how, and there was no occasion to discuss forms of expression! Very candid and consequential, is it not? It reminds us of the vagrant who, being detected by constables as he was on the point of setting fire to a cathedral, complained that one could live quite comfortably were it not for those confounded bobbies.

Enclosure 2 with No. 83.

THE JAPAN DAILY MAIL,

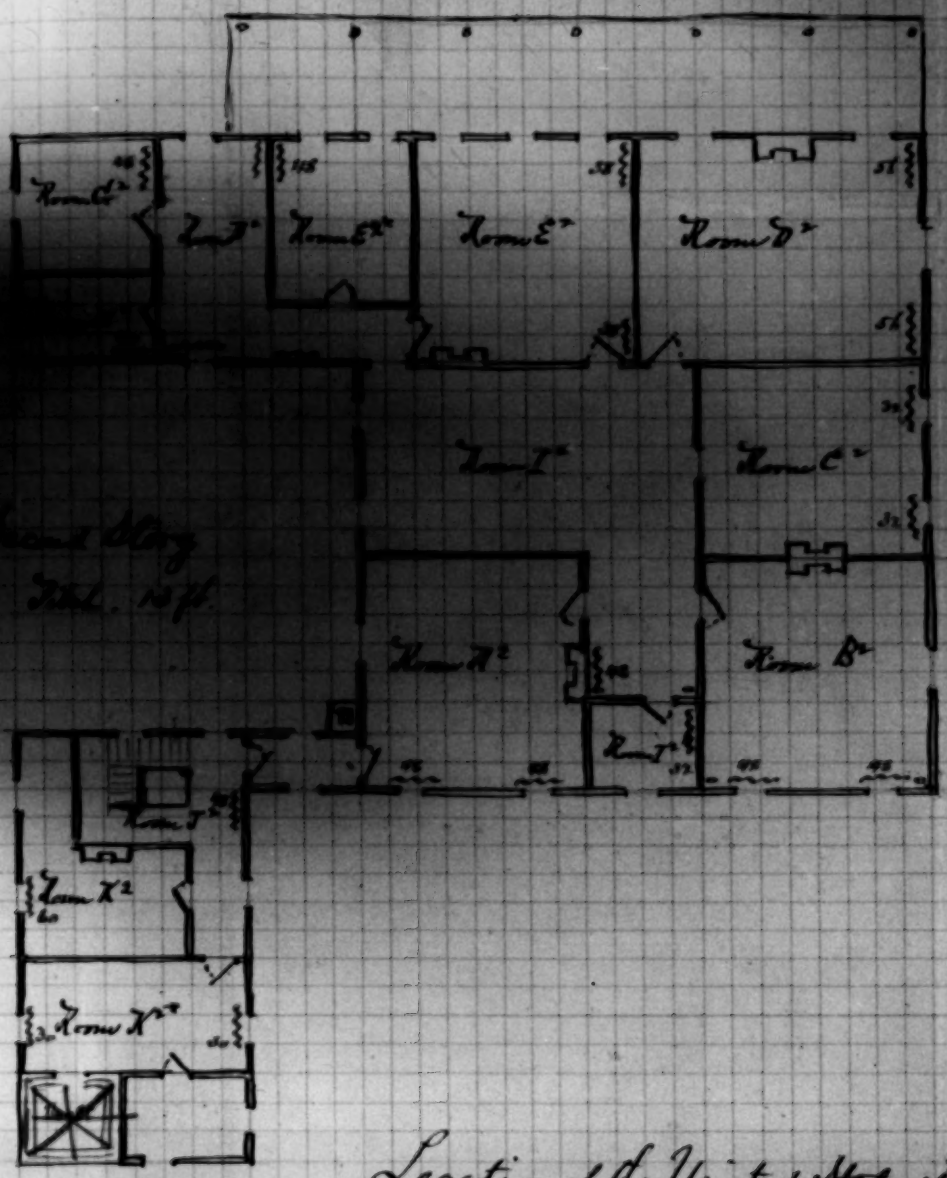
Yokohama, Wednesday, Dec. 22, 1897.

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capable of accommodating his family and his staff, he appropriated the whole of the Tokyo Hotel, and by a few dexterous changes, converted it into a suitable, though of course a very far from picturesque domicile. It is a pity that some one does not deal similarly with the Imperial Hotel. Its principal ahcievement at present is to create among foreigners a conviction that the Japanese are a thriftless people, without organizing capacity or intelligent observation. As for the Legation of the United States, the tardinessof the Washington Government to provide a suitable building is becoming a subject of public comment. The site is spacious and admirably situated, but the house is a wooden structure of the flimsiest description. Hastily run up and roughly put together at the outset, the passage of years has deprived it of its only title to respectability, newness, and it is now a veritable eye-sore, as ugly as it must be uncomfortable. It can never have been intended to be anything but a very temporary structure for it is huddled away in the southerly corner of the grounds so that the principal rooms face west and north, aspects almost unendurable for a residence in the climate of Japan. Such an extraordinary situation must have been chosen solely for the purpose ofleaving the northerly side of the grounds available for building operations, but as year follows year without any sign of an attempt to build, the whole thing is growing quite a jest. We must say that considering the immense wealth of the United States and the magnitude of American interests in Japan, the Government's carelessness in this matter is unaccountable. The consulate-general in Yokohama is a

poor enough affair in all conscience, but the Legation in Tokyo is incomparably poorer, and even as Englishmen we do not like to see the stars and stripes floating over such an edifice.



	Volume in Cubic ft. Actual	Effective	Ac
Room A²	8125		49
B²	9400		47
C²	6825		27
D²	9460		47
E²	8125		81
E²ˣ	3510		19
F²	4600		325
G²	2925		390
H²	1755		351
I²	11973		273
I²ˣ	1404		156
J²	3744		468
K²	3588		390
K²ˣ	3588		312

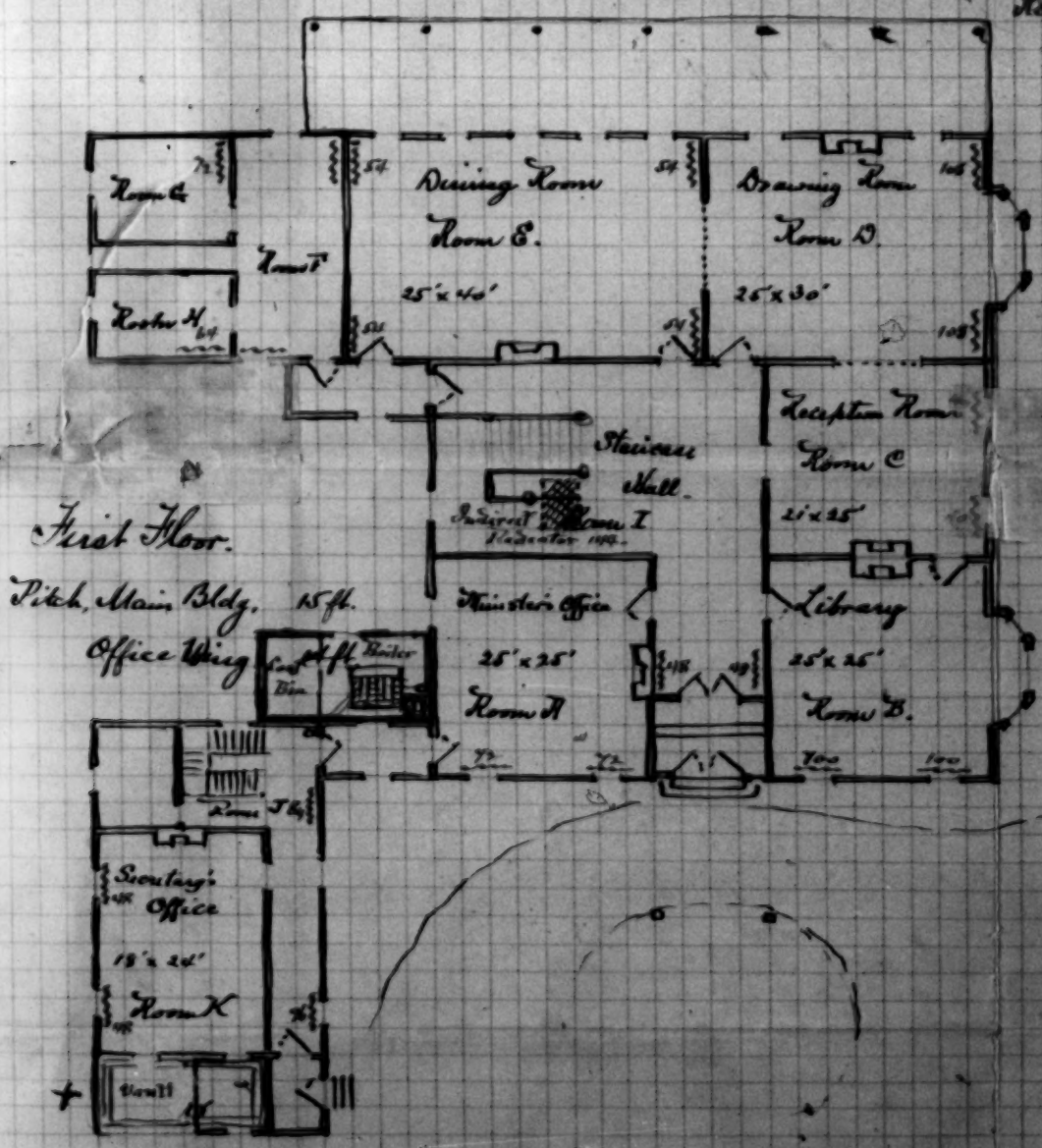
Legation of the United States of America

Tokyo, Japan. 1894

J. McD. Gardiner, Architect.

Plan for Hot Water Heating Apparatus.

Radiation indicated thus ———



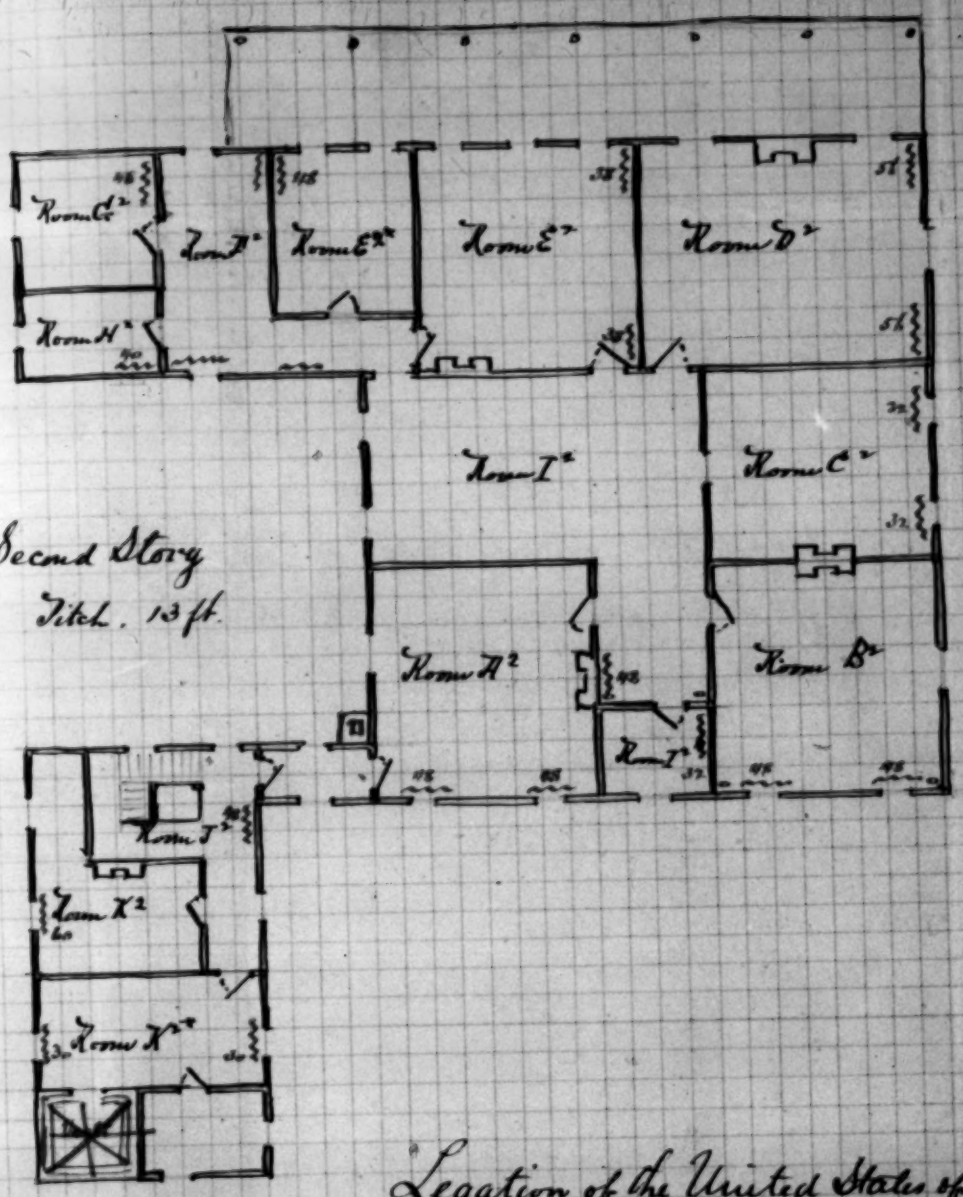
Room A	9375	65
B	9600	76
C	8250	36
D	11525	87
E	15000	600
F	4500	270
G	2700	115
H	2025	360
I	13555	225
J	4060	630
K	6048	336

Capitol Hot Water Hea

114 Radiators Direc
1 Radiator Indir
114 Deflecting valves
1 Distributor (overhead
1 Collector
1 Expansion Tank
1 Force Pump.

Including piping and

+ Fire-proof vault. Outside dimensions 8'x 18'
Built entirely of Firebrick. Cost 1962.00 = U.S Gold. about $1000.00



Second Story
Pitch. 13 ft.

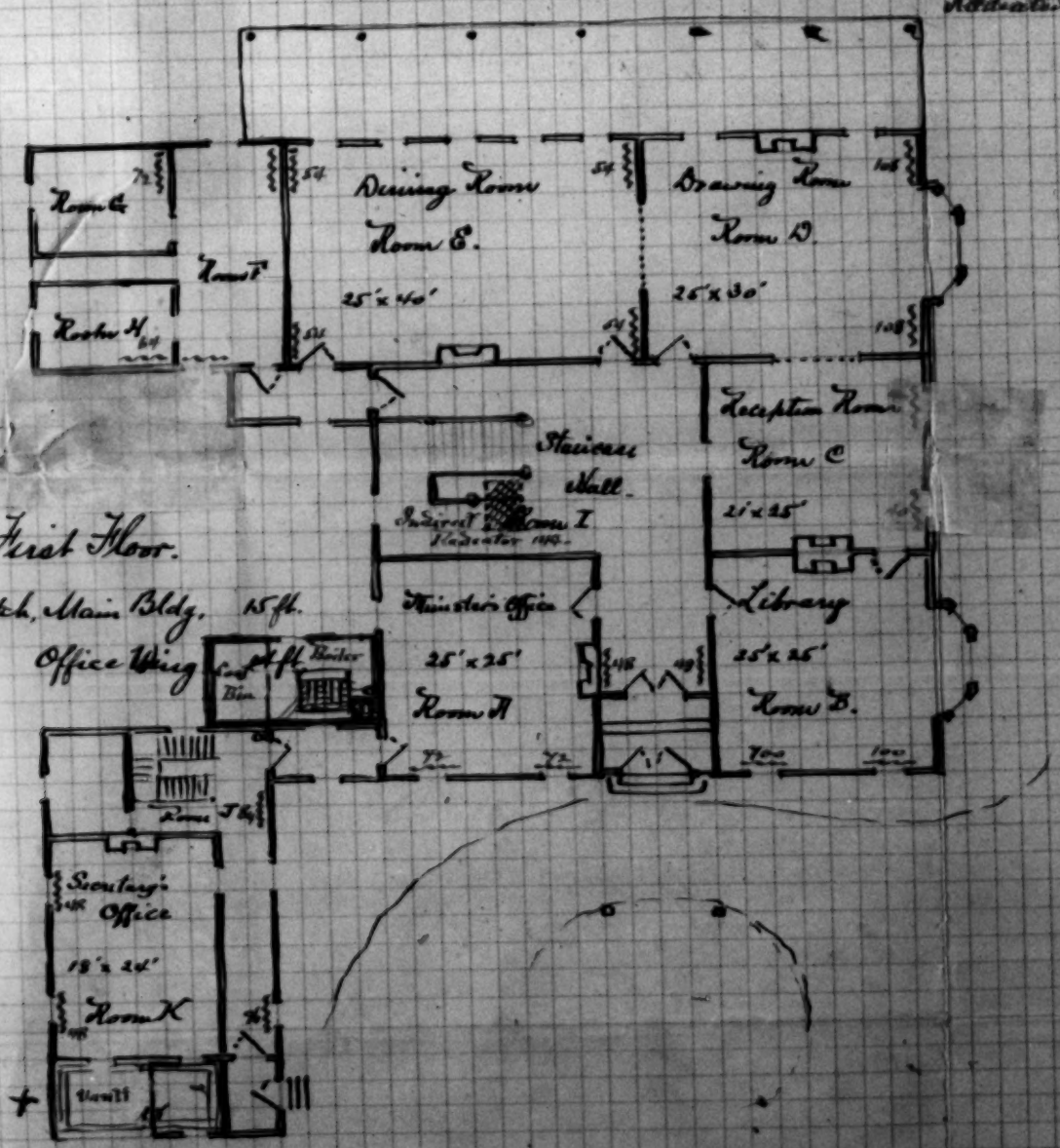
	Volume in Cubic ft. Actual Cu. ft.	Effective	Actu
Room A²	8125		4
B²	8400		4
C²	6825		2
D²	9450		7
E²	8125		5
E²²	3510		1
F²	4600		325
G²	2925		390
H²	1755		2
I²	11973		273
I²²	1404		156
J²	3744		468
K²	3588		390
K²²	3588		312

Legation of the United States of America

Tokyo, Japan. 1894

J. McD. Gardiner,
Architect.

Plan for Hot Water Heating Apparatus.
Radiators indicated thus ———



First Floor.
Pitch, Main Bldg. 15 ft.

Room A	9375	6
B	9600	7
G	8250	3
D	11575	8
E	15000	6
F	11500	2
G	2700	1
H	2025	3
I	13555	2
J.	4060	6
K	6048	3

Capitol Hot Water Hea
114 Radiators Direc
1 Radiator Indir
114 Deflecting valves
1 Distributing (overhead
1 Collector
1 Expansion Tank
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Including piping and

+ Fire-proof vault. Outside dimensions 8'x18'
Built entirely of Firebrick. Yen 1962.00 = U.S Gold. about $1000.00

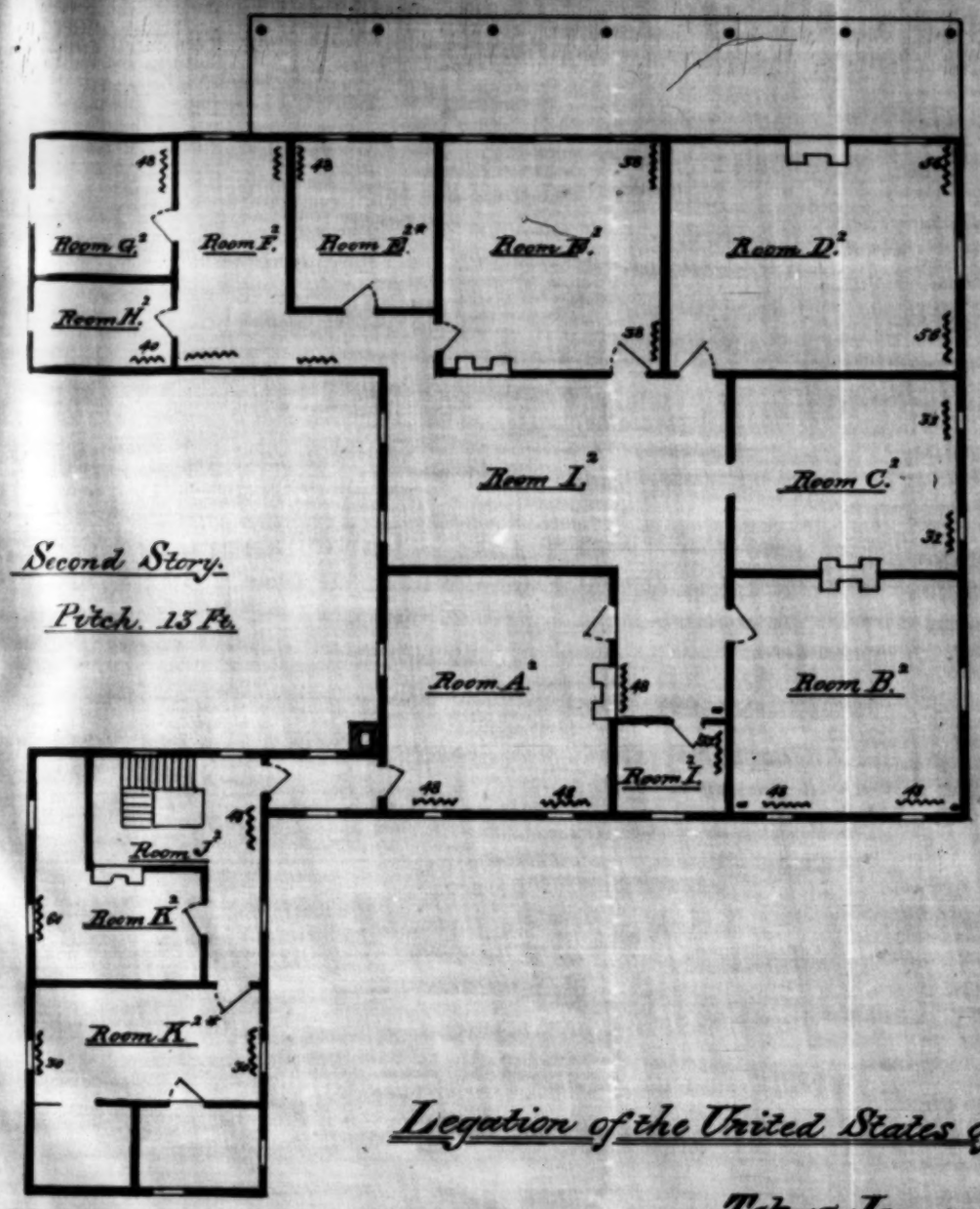
...bic ft.	Exterior wall,		Exterior glass surface		Total
...l. Effective	Actual	Effective	Actual	Effective	Radiation required
	39 ft				
	472		90		
	475		90		96
	273		60		96
	775		90		64
	875		90		112
	195		60		76
	325		60		118
	390		30		56
	317		30		118
	273		60		140
	156		30		80
	468		90		32
	390		60		80
	312		60		60
					60
					948

J. McD. GARDINER, ARCHITECT.
TOKYO, JAPAN.

	644	90	144
	760	150	200
	385	60	80
	825	150	216
	600	150	216
	270	60	84
	415	30	72
	360	30	64
	225	30	140
	630	90	144
	336	60	96
			1456
	Grand Total	39 ft	2404

...ot Water Heater #311.

...iator Direct
...iator Indirect
...ting valves 2"
...hut-off (overhead system)
...ctor
...ansion Tank
...Pump.
...Piping and labor, U.S. Gold $1964.00



Second Story.

Pitch. 13 Ft.

J. M. D. Gardiner
Architect.

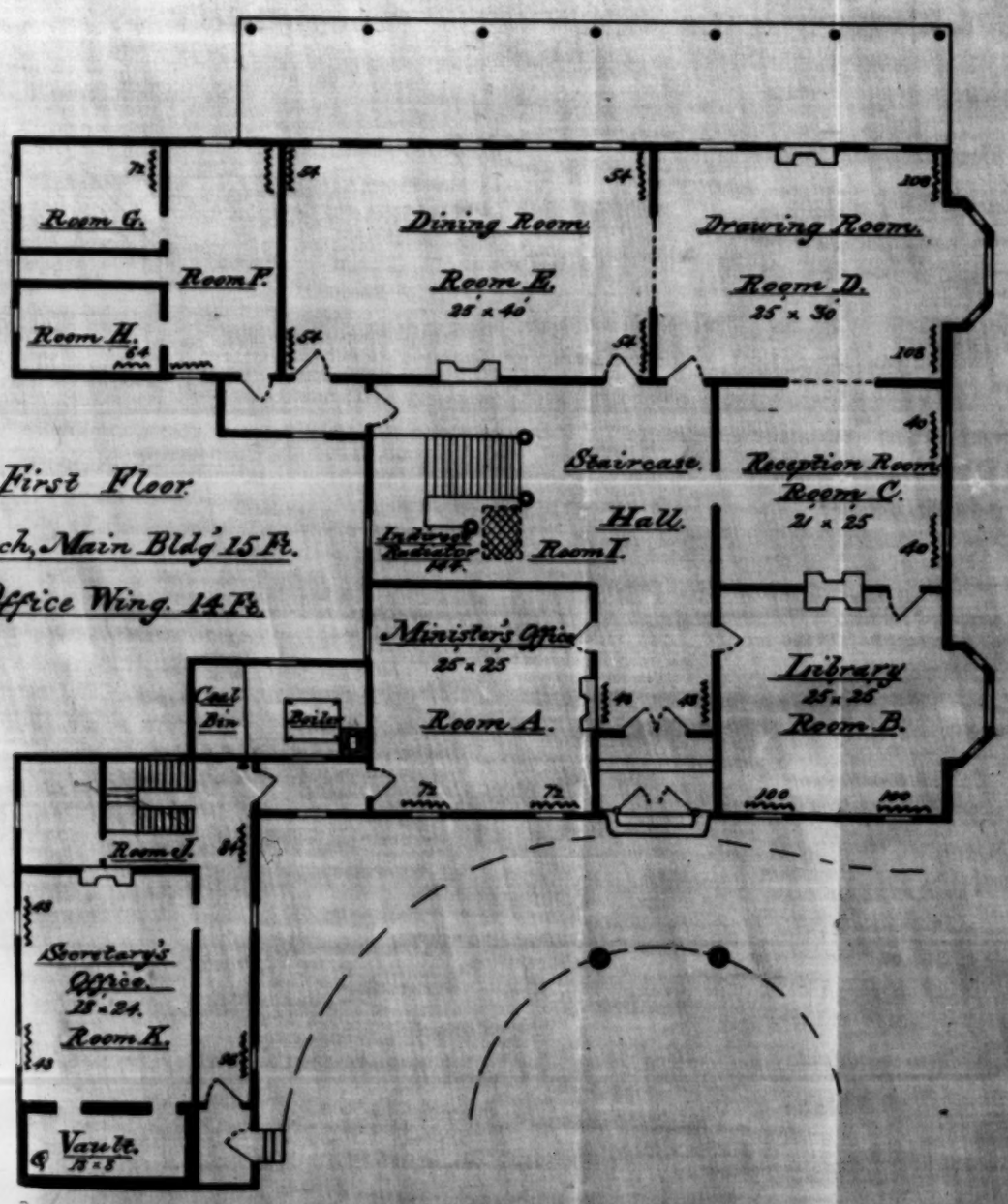
Legation of the United States of America.

Tokyo. Japan. 1894.

Plan for Hot Water Heating Apparatus.

Radiators indicated thus, ▭▭.

	Volume in cubic ft. Actual Cu. ft.	Effective	Exterior wall Actual Sq. ft.	Effective	Ext. doors & windows Actual	Effective	Total Radiation required
Room A²	8125		472		90		
B²	8400		475		90		96
C²	6825		473		60		96
D²	9750		715		90		64
E²	8125		525		90		112
E²*	3510		195		60		76
F²	4500		325		60		48
G²	2925		590		30		56
H²	1755		317		30		48
I²	11973		273		60		40
I²*	1404		156		30		80
J²	3744		468		90		32
K²	3588		390		60		80
K²*	3588		312		60		60
							60
							948



First Floor.

Pitch, Main Bldg 15 Ft.

Office Wing. 14 Ft.

	Volume in cubic ft.	Exterior wall	Ext. doors & windows	Total Radiation required
Room A	9375	660	90	144
B	9600	750	150	200
C	8250	315	60	80
D	11625	825	150	216
E	15000	600	150	216
F	4500	270	60	84
G	2700	415	30	72
H	2025	360	30	64
I	13555	225	30	140
J	4060	630	90	144
K	6043	336	60	96
				1456

Grand total Sq. ft. 2404.

Fire-proof Vault, Outside dimensions 8 x 16
Built entirely of firebrick. Yen 1962.00 = U.S. Gold about $1000.00

Capitol Hot Water Heater № 311.

44 Radiators Direct.
1 Radiator Indirect.
44 Deflecting Valves. 2"
1 Distributer (Overhead system)
1 Collector
1 Expension Tank
1 Force Pump
Including piping and labor U.S. Gold. $1964.00

No. 84.

INDEX BUREAU
RECD.
FEB 8 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY
Send one copy to Supt. Library
One to attn. Gubbins for his Library
One to Library of Congress.
FEB 8 1898
Ack with thanks

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 17, 1898.

Ack'd., and
One copy & enclosure to
Library of Congress,
One copy to Atty. Gen., and
One copy to Library of
Dept of State
Feb. 9/98

Mr. Buck

to the Secretary of State.

Subject:

Transmitting three copies of Mr. Gubbins's translation of the new Civil Code of Japan.

No. 84.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 17, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to transmit herewith under separate cover three copies of the Civil Code of Japan, passed by the Diet in March 1896, and promulgated on the 23rd of that month, the date of its operation being left for subsequent determination by Imperial Decree.

This is a translation from the Japanese by Mr.Gubbins, Second Secretary and Japanese Secretary of H.B.M's.Legation, and is considered a work of great accuracy and excellence.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
FEB 23 1898
BUREAU

2D ASSISTANT SECRETARY,
Ack & file.
FEB 20 1898

No. 85

INDEX BUREAU
REC'D.
19 FEB 1898
DEPT. OF STATE

Ackd Feb. 20/98

SP: COMr. PLENIPO

R Feb. 21, '98.
Retd. Feb. 21, '98.
Enclosure retained.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 22, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Sherman's Instruction No. 59, of date December 14th, 1897, in re the trade relations between the United States and Japan.

No. 85.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 22, 1898 .

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No 59 of date December 14th 1897, stating that the Department of State was without a copy of the statutory tariff of Japan which, it is expected, will go into effect as soon as practicable upon the conclusion of the treaty of Japan with Austria, and requesting me to forward to the Department a translated copy of the said tariff.

Two translated copies of the Revised Customs Tariff (the new statutory tariff of Japan) which had then just been published in English, formed enclosure No.2 with Mr.Dun, my predecessor's, Dispatch No.473 of date April 12th 1897. I had the honor to transmit three copies of the same as enclosure No.2 with a copy of Mr.Wilson, Second Secretary of this Legation's, report which I enclosed with my Dispatch No.48 of October 20th last. I also enclose two copies herewith.

What is said in your instruction which I now have the honor to acknowledge, regarding possible negotiations with Japan looking

looking towards a reciprocal tariff arrangement and concerning the present trade relations between the United States and this country has been carefully noted; and I shall be guided thereby in whatever future conversations upon this subject I may have with the Minister for Foreign Affairs.

I have the honor to be,

Sir,

Your obedient servant,

Enclosure:

Two copies, in English, of the Revised Customs Tariff Law of Japan, as above.

DIPLOMATIC,
FEB 19 1898
BUREAU.

Acker
Feb. 21/98

INDEX BUREAU
REC'D.
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DEPT. OF STATE

2D ASSISTANT SECRETARY,
Ack by subject + file.
FEB 19 1898

No. 86

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 25, 1898.

Mr. Buck

to the Secretary of State.

Subject:

The new House of Representatives to be elected on March 15th, 1898. The Twelfth Diet to be assembled not earlier that April 25th, 1898.

No. 86.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 25, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

Referring to my Dispatch No. 72 of date December 28th 1897, reporting the opening of the Eleventh Diet and its dissolution by Imperial Rescript on the following day(December 25th, last) I have the honor to inform you that an Imperial Rescript of date the 19th instant was promulgated in the Official Gazette of the 21st instant, setting March 15th next as the date for the election of a new House of Representatives. As by law fourty days must intervene between the date of election and the assembling of the Diet, April 25th next is the earliest date upon which the Twelfth Diet may be assembled.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
FEB 19 1898
BUREAU.
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19 FEB 1898
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2D ASSISTANT SECRETARY,
Ack. by Number and File.
FEB 19 1898

No. 87.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 26, 1898

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Sherman's Instruction of date December 29th 1897 No. 66.

No. 87

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 26, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.66 of December 29th 1897, enclosing, as showing Denmark's interpretation of treaty stipulations respecting extraterritorial jurisdiction in Japan, copy of an instruction of date October 8th last, sent by the Danish Government to its diplomatic representative in Tokyo.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

No. 88.

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DIPLOMATIC,
FEB 19 1898
BUREAU.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 26, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Sherman's Instruction No. 64, of December 27th 1897.

No. 88.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 26, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.64 of December 27th 1897, enclosing copy of a telegram sent from Nagasaki by Rear Admiral McNair, then commanding the United States Naval Force on the Asiatic Station, to the Honorable the Secretary of the Navy, reporting the efforts made by the Japanese authorities to apprehend the murderers of the seamen, Epps of the U.S.F.S.OLYMPIA and Montgomery of the U.S.S.YORKTOWN.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
FEB 21 1898
BUREAU.

No. 89.

INDEX BUREAU
REC'D.
19 FEB 1898
DEPT. OF STATE

To the Senate
March 1, 1898.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 26, 1898

Mr. Buck

to the Secretary of State.

Subject:

The cases of the murders of Epps of the U.S.F.S.OLYMPIA and of Montgomery of the U.S.S.YORKTOWN—forwarding correspondence.

No. 89.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, January 26, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.6I of the 20th ultimo, with enclosures, relating to the matter of the murder of Montgomery, seaman of the U.S.S. YORKTOWN, and of Epps, apprentice of the U.S.Flagship OLYMPIA, together with the reading of your telegraphic Instruction of the same date in respect thereto.

My Dispatches Nos.69, 7I, and 8I, of dates the I7th and 28th ultimo and the 7th instant respectively, with enclosures, will give all information obtained up to the date of the last mail's leaving for the United States, and what action had been taken by me relating to these cases.

I now have the honor to forward herewith a copy of the report of Vice Consul Devine at Nagasaki, of the I5th instant, with a copy of the record of the trial in the local court and the conviction and judgement for the offence of involuntary homicide, of Nakamura Yamosaku and Kawada Hiakutaro, arrested as perpetrators of the murder of Epps.

I

I also enclose a copy of my note of the 22nd instant to H.I.J.M's. Minister for Foreign Affairs, Baron Nissi, and a copy of a note from him of the same date, with enclosures Nos. I and 2 giving respectively copy of the certificate of the examination of the corpse of Epps by the Japanese physician and the judgement upon the trial of the two men; and, by enclosure No.3, reporting also the result of the investigations made by the Japanese authorities as to the death of Montgomery.

My note to Baron Nissi, of the 22nd instant, and his note to me were each sent and received at about the same hours. Hence neither was prepared in consideration of the other.

The result of the trial of the two men above named for the murder of Epps, as appeared from the translations of the proceedings and judgement of the court accompanying the report of Vice Consul Devine was so disappointing, considering the evidence brought out by the inquest, that I felt justified in strongly expressing my astonishment and in requesting that a review, or a new trial of the case be had, providing the judgement as translated and reported by the Vice Consul was correctly given. That a substantially correct translation was given by the Vice Consul is shown by the copy of the proceedings at the trial accompanying the note of Baron Nissi, of the 22nd Instant.

That the Department may be advised in respect to the law applied by the court in this case I have caused to be translated Sections 317 and 80 of the Criminal Code, which were cited by the Judge as the Sections under which he sentenced the two convicted men. They are as follows:

Section

Section 317. Whoever unadvisedly, by negligence or non-observance, of local usages (practices) involuntarily commits a homicide, will be punished by a fine of 20 to 200 Yens.

Section 80. If the prisoner was more than 12 years of age and less than 16 years (years fully completed) at the time of the commission of the offence, the Court must pronounce specially upon the point as to whether he has acted with or without discretion. If the minor is declared to have acted without discretion no penalty is imposed upon him, but he may, according to circumstances, be subjected to (emprisonnement de garde) confinement in a house of correction up to the time when he has completed his 20th year.

If he is declared to have acted with discretion he enjoys a legal excuse and the penalty for the offence is lowered two degrees.

What further action, if any, looking to a review of the case, by appeal or otherwise, may be taken by the Japanese Government, I am not yet advised. In the event that nothing further should be done in the matter by the Government, I desire to be instructed in respect to what course I should pursue.

As to the murder of Montgomery: In consideration of the report of Consul Abercrombie, of December 29th last, giving an account of the investigation of the cause of the death of Montgomery, and a statement from the Japanese authorities furnished by the Governor of Nagasaki Ken to Admiral McNair, accompanying the Admiral's letter to me of December 23d last, both of which were enclosed with my Dispatch No.81 of the 7th instant; as also in consideration of the report given in the note of

Baron Nissi

in his enclosure No.I therewith Baron Nissi of the 22nd instant, I doubt whether it will be practicable now, at so late a day, to secure the arrest, much less the conviction, of anyone who may have been connected with the crime. Hence I shall await instructions before pressing the matter further.

I have the honor to be,

Sir,

Your obedient servant,

J. E. Buck

Enclosures:

No.I. Vice Consul Devine to Mr.Buck, of date January I5th I898—one sub-enclosure

No.2. Mr.Buck to Baron Nissi, of date January 22nd I898

No.3. Baron Nissi to Mr.Buck, of date January 22nd I898—three sub-enclosures.

(Copy.)

Enclosure No 1 with Mr Buck's No 89, of January 26th, 1898.

NO.1486.

CONSULATE OF THE UNITED STATES.

Nagasaki, Jan. 15, 1898.

His Excellency

Alfred E. Buck,

Envoy Extraordinary and Minister

Plenipotentiary of the United States,

Tokio

Sir:-

I have the honor to enclose herewith, a copy of the Judgment rendered by Judge C. Miyake, of the District Court, Nagasaki, against the Japanese subjects named Nakamura Yonosaku and Kawada Hyakutaro, tried for the murder of Frank Epps, 1st. class apprentice of the U.S.P.S. "Olympia", who were convicted of the crime of involuntary homicide, and sentenced to payment of Yen 100 and Yen 50 respectively, as a correctional fine.

I have the honor to be,

Sir,

Your obedient servant,

H. H. Bovine

U.S. Vice Consul

in Charge.

Enclosure as above.

Enclosure as above.

Enclosure with Mr. Devine's No 1486, of January 15th, 1898

(Translation - Copy.)

JUDGEMENT.

Nakamura Yamosaku, aged 24 years and 2 months, coolie, Heimin, No. 411 Fushimura, Nishisonogi Gun, Nagasaki Ken.

Kawada Hiakutaro, aged 13 years and 11 months, blacksmith Heimin, No. 131 Fushimura, Nagasaki Ken.

In the case of the above named defendants, prosecuted for assault which occasioned death, this honorable Court makes the following judgement:-

Shubun.

(Principal part of the judgement which is to be exeduted against the offenders).

Nakamura Yamosaku,- fined Yen 100

Kawada Hiakutaro,- fined Yen 50.

The ~~ank~~ boathook to be returned to the Nagasaki Water Police Station.

The costs, 6 Yen, to be borne separately by the defendants, each to pay one-half.

Riyu.

(The facts of the case and the application of law).

First.- That on the 12th December, 30th year of Meiji, at about 10 o'clock, the defendants Yamosaku and Hiakutaro, took in their sampan at Sagarimatsu hatoba Frank Epps, first class apprentice of the U.S.S.Olympia, which was in harbor at that time, having ~~be~~en asked by him to do so, and rowed towards the Olympia.

That the evidence is not full enough to prove that on their way to the Olympia the defendants began to quarrel with Epps and pushed him down into the water.

That they were well aware that Epps was drowning but

they rowed away without rescuing him and caused his death notwithstanding that there was a full hour to rescue him if they had desired to do so.

The evidence taken of the above enumerated facts are the statements of the defendants at the public trial of the Court, the depositions made at the preliminary examination by Dr.J. E.Page, U.S.N., J.Ohashi, Japanese physician, E.S.Taylor, James Kiddy, Hans Peter, Watson and the two defendants, and the production of the boathook.

The action of the two defendants is to be applied to Article 317 of the Criminal Law, and that of Hiakutaro, whose age is above 12 years and less than 16 years, is to be applied to the 2nd paragraph of Article 80 of the Criminal Code, it being recognized that he acted discerning the character of his action, a diminution of two degrees being made to his punishment under the above Article (317).

The boathook is disposed of according to Article 202 of the Criminal Law, and the cost of the criminal case according to Article 201 of the same law.

Delivered in the presence of and prosecuted by G.Morita, Public Procurator, January 10, 31st year of Meiji.

Criminal Division of the Nagasaki District Court.

(Signed and sealed) Judge C.Miyake, President.

" K. Yamagawa

" J. Ishiguro

Clerk T. Ichinose

Copied from the original in the office of the Public Procurator of the Nagasaki District Court on the 13th January, 31st year of Meiji.

Clerk of the Prosecutor's Office

(Signed and sealed) M.Sugematsu.

(Copy.)1

Enclosure No 2 with Mr Buck's No 88 of January 26th 1898.

NO.50.

LEGATION OF THE UNITED STATES.

Tokyo, January 22, 1898.

His Excellency

Baron Nissi Tooziro,

etc. etc. etc.

Sir:-

I have the honor to bring to Your Excellency's attention the enclosure herewith which, I am informed by the United States Consul at Nagasaki, is the English translation of the judgment of the local court of Nagasaki Ken in the case of the Government of Japan vsNakamura Yonosaku and Kawada Hyakutaro, charged with the murder, in the harbor of Nagasaki, on December 13th last, of Frank Epps, apprentice of the United States Flagship "Olympia."

I feel confident that I need only remind Your Excellency of the proceedings of naval inquest held at the instigation of Rear Admiral McNair, a copy of which I have had the honor of submitting to you, and to the clear and coincident testimony there produced, to have you appreciate with what astonishment I learn that the malefactors should be ~~decided~~ deemed, in the opinion of the court, adequately punished by a fine of Yen 100-; and unless the trial has elicited proof of gross and wilful perjury on the part of the witnesses at the inquest, Your Excellency, I am sure, with your high sense of right, will agree that there has been a perversion of justice.

It is my earnest wish not to prejudge the decision of the Nagasaki court and I therfore await with interest an opportunity to examine a transcript of the proceedings of trial, which, I trust will be afforded me at an early date; for, I am constrained to say, that the judgment as it now appears, without a summary of the evidence or an explanation of the line of reasoning by which it was reached, standing as it does in direct contradiction to the findings of the naval inquest, when at both proceedings practically the same witnesses were examined, has produced the impression of a desire on the part of the

court to treat the offenders with the greatest possible lenience short of total exculpation. This being the second instance of death under suspicious circumstances of United States seamen at Nagasaki within a very short time, my Government had hoped and urged that prompt and effective measures would be taken to detect the offenders and that the punishment imposed upon them would be sufficiently exemplary to act equally with any precautionary measures as a deterrent to a recurrence of these unfortunate incidents, but it would seem that this judgment, if properly reported, will be far from producing so salutary an effect.

The death of Epps becomes doubly painful when it is remembered that he was the dependant of a friendly power and only within Japanese territory because sent hither by his Government in the service of international comity; and in the hope that ultimately there may be no failure of justice in the punishment of those responsible for his death, -which hope I am certain Your Excellency shares equally with me, -I have the honor to request that you take steps to secure either a review of the case against Nakamura and Kawada or an appeal to a higher tribunal than the local court at Nagasaki.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

A. E. Buck.

Enclosure as above.

(Same as sub-enclosure with enclosure No. 1.)

Enclosure No 3. with Mr Buck's No 82 of January 26th, 1898. Copy.

TRANSLATION.

DEPARTMENT OF FOREIGN AFFAIRS,

Tokyo, January 22, 1898.

His Excellency,

Alfred E.Buck,

Envoy Extraordinary and Minister Plenipotentiary

of the United States of America.-

Sir:

I have the honor to acknowledge the receipt of Your Excellency's Note of date the 23rd ultimo, relating to the death of Frank Epps, a sailor belonging to the U.S.Flagship Olympia, and that of William Montgomery, a sailor belonging t to the U.S.S.Yorktown, and to state that I have given the matter careful consideration.

Some days ago I had the honor to communicate with Your Excellency regarding the Epps case. According to a detailed report received from the Governor of Nagasaki Ken since that time, I am informed that on the 13th of December last the said Governor received a note from the United States Consul at Nagasaki stating that on the night of the 12th ultimo a seaman by the name of Frank Epps, belonging to the U.S.Flagship Olympia then in that harbor,had been murdered by some unknown person. The Governor thereupon instituted a search and on the same day the body of Epps was found near the English ship St.Enoch, at that time anchored in the harbor.

On the following day, the 14th, the Governor sent to the Olympia and caused an examination of the body to be made; and although as shown by the certificate of the examination (see Enclosure No.I) the wounds upon the body did not seem to be of such a nature as to have been inflicted by another person,

yet in order that the facts in the case might be more clearly established, the two persons with whom it had been ascertained in the course of the investigations that Epps was riding with at the time of his death,- viz., Nakamura Yamosaku and Kawada Hyakutaro- were examined and the case turned over to the Nagasaki District Court for formal trial. Upon trial by the Court decision was rendered and both of the criminals punished as is shown by Enclosure No.2.

Again, from the report of the Governor of Nagasaki Ken regarding the case of Montgomery, it appears that on the 3rd of September last it was reported that the body of a foreigner had been discovered in front of Namihira-machi, about 20 fathoms from shore. Upon examination by the Water Police it was ascertained that the body was that of William Montgomery, a marine belonging to the U.S.S.Yorktown; and after further examination(see Enclosure No.3) the body was delivered to that ship.

On the night of September Ist last, between the hours of 9 and II o'clock, it appears that the deceased, accompanied by a comrade named Frank Machin, escaped from the ship and swam to shore. Upon his return to the ship, intending likewise to return thither by swimming, it would seem that as he jumped into the water he came in contact with some object or other and being incapacitated from swimming, was drowned. Although a careful examination was made in order to ascertain the facts in the case more definitely, there did not seem to be any traces to show that he had been murdered. It would seem beyond doubt that upon throwing himself into the water of his own accord, intending to swim back to his ship he was accidentally drowned.

Heretofore instances of seamen escaping from their ships

and returning to them by swimming have not been of unfrequent occurrence. In the present case also it appears that his comrade Frank Machin, with whom he had left the ship, on returning early the next morning at about 5:30 o'clock, rowed by Watanabe Chomatsu, when within 8 or nine fathoms of his ship voluntarily jumped overboard and swam back; and it can only be supposed that Montgomery too, in the same manner and for the same purpose, threw himself into the water and met his death by drowning.

In transmitting herewith the particulars that have been ascertained up to the present time relating to the cases of Epps and Montgomery, I beg to renew to Your Excellency the assurances of my highest consideration.

(Signed) Baron MISSI TOCHIKO

Minister for Foreign Affairs.

Enclosure No. I, with Baron Nishi's Note No.3.

Translation.

Copy of Certificate of Examination of Corpse.

U.S.Flagship Olympia, First Class Apprentice,

Frank Epps, aged 18.

The body of the above was examined by me, by order of the Nagasaki Water Police, in the presence of Police Inspector Kojima Wasaburo , Chief of Police Bureau, Police Inspector Iguchi Minekichi, Chief of Nagasaki Water Police, Hirayama Kikutaro, Interpreter, and the Surgeon of the Flagship Olympia at 1.30 P.M. Dec.14th, 1897.

The corpse was arranged in a boat-shaped coffin, and as all the preparations had been made for the funeral, the ship's officers were unwilling to have the body stripped, and desired to have the examination finished as quickly as possible, so that only a general examination was possible.

Past.- After the deceased had started from the land at about 8 P.M. on the 12th instant intending to return to his ship, his whereabouts had been unknown, but his body was discovered at about 2 P.M. on the 13th near Deshima, Oki.

Present.- The corpse was dressed and lying in a boat-shaped coffin, face up. He was a colored man, tall and strongly built. The jaws were set and the limbs stiff and straight. The hair was dressed, the color of the face dark; neck, purplish black, and darker than the other parts. The eyes were closed, the balls a purplish red, especially thatof the left eye; blood-vessels full, pupils distended, and a wound on the left eyelid. Lips, dark red; teeth and tongue normal; teeth closed. There were no other marks of wounds about the head

and neck, and their appearance was ordinary. The belly was round and full, and gave a sound of water. The shins were slightly wounded by rubbing.

The Wound.- The wound on the upper eyelid, on the left side, was a shallow skin wound, 4.5 centimeters square. The opening of the wound was 3 centimeters. Two-thirds of the wound were upon the upper eye-lid, and one-third upon the cartilages above it. The face of the wound was reddish white in color, the center being nearly white. The edge of the wound was rough, and had the appearance of having been nibbled. The depth of the wound was very shallow at the edges, only the skin being broken; it grew deeper towards the center, and at the center it extended below the skin to the tissues.

Upon examination of the wound and the surrounding skin with a knife, the cut surface was a pale, reddish white, and no blood appeared to exude from the tissues.

The wounds upon the shins were slightly red and the skin was rubbed off about the size of a bean.

Verdict.

I.- Death in the present case was caused by suffocation in drowning.

2.- The wound over the left eye was vey slight and not of such a nature as to affect the brain, and it is clear that it had no connection with his death.

(a) When a blow is supposed to have been struck with a blunt instrument directly in front the wound is generally more decided in the hard part of the eyebrow than on the soft eyelid This wound, however, is shallow on the eyebrow and deep on the eyelid.

(b) When it is supposed that a blow was struck from the

front, the force of which extended upward and back, it is known that such a blow is not sufficient to affect the brain.

3.- That the wound over the left eye was probably caused by the bites of fish after death is shown by the following facts:

(a) The vitality and reaction of the wounded parts are not remarkable.

(b) The edge of the wound is ragged and presents a nibbled appearance.

4.- The wounds on the shins are slight and unimportant.

I hereby certify that the above statement of the examination is correct.

(Signed) OHASHI JUN

Chief of the Juji Hospital (Private)

Physician attached to Police Headquarters.

December 14, 1897.

Enclosure No. 2 with Baron Nishi's No. 3.

Translation.

Judgement.

Nakamura Yamosaku, aged 24 years and 2 months, coolie, Heimin, No. 411 Urakami-buchi, Nishinogi Gun, Fushimura, Nagasaki Ken.

Kawada Hyakutaro, aged 13 years and 6 months, blacksmith, Heimin, No. 131 Urakami-buchi, Fushimura, Nagasaki Ken.

In the case of the above named defendants prosecuted for assault which occasioned death, this District Court renders the following judgement.-

Shubun.

(Principal part of the judgement to be executed against the defendants).

Nakamura Yamosaku, fined Yen One Hundred.

Kawada Hyakutaro, fined Yen Fifty.

The captured pair to be returned to the Nagasaki Water Police Station.

The costs to be borne jointly by the defendants.

Riyu.

(The facts of the case and the application of law).

First.- That on the 12th of December, 30th year of Meiji, at about 8 o'clock, the defendants Yamosaku and Hyakutaro, took in their sampan at his request, at Sagarimatsu hatoba, Frank Epps, 1st Class Apprentice of the U.S.Flagship Olympia, which was in harbor at that time, and rowed toward the Olympia.

Second.- That although the evidence is not full enough to prove that on their way to the Olympia the defendants began a quarrel with Epps and pushed him overboard into the water,

yet ,

Third,- The defendants were aware that Epps was drowning but they rowed away from the place without attempting to rescue him, although there was full time to do so, and finally caused his death.

The evidence to support the above enumerated facts are the statements of the defendants at the public trial at the court, the statements made at the preliminary examination by Surgeon J.E.Page, U.S.N., J.Ohashi, Japanese physician, E.S. Taylor, James Kiddie, Hans Peter Matteson, and the two defendants, and the captured boathook.

The action of the two defendants as above stated comes under Article 317 of the Criminal Law; and that of Hyakutaro, who, being more than 12 years and less than 16 years of age , is able to distinguish the nature of his action, comes under the second clause of tArticle 90 of the Criminal Code, and a diminution of two degrees is made from his offence. The above mentioned judgements are hereby rendered in accordance with the Articles herein quoted.

The captured boathook is disposed of according to Art. 202 of the Criminal Law, and the costs of the case according to the 1st paragraph of Art.201 of the same law.

Delivered in the presence of and prosecuted by T.Morita, Public Procurator.

January 10, 1898.

Criminal Division of the Nagasaki Court

(Signed and sealed) Judge C.Miyake, President
Judge K.Yanagawa
Judge I.Ishizuro
Clerk, T.Ichinose

Copied from the original in the office of the Public Procurator of the Nagasaki District Court, on the 14th day of January, 1898.

(Signed) M.Sugematsu, Clerk.

Enclosure No. 3 with Baron Nishi's Note No.3.

Montgomery, Sailor, belonging to the U.S.S.Yorktown;

age, 31 years.------

The body of the above named person was examined by me at the headquarters of the Nagasaki Water Police, in the presence of Police Inspector Iguchi, Chief of Police, and the Surgeon of the Yorktown, on September 3, at 10 A.M.

Past. The above named sailor had been absent from his ship since the day before , and upon search his body was found at Sotomachi-Oki at 7:30 to-day.

Present. The hair is ~~dressed~~ arranged in western fashion and the body was dressed. The body is of medium build and in good condition. Color white. The body is stiff and straight. A severe wound is found on the back of the head , on the left side, 6 centimeters long and extending to the periosteum. The mouth of the wound was widely opened, and rough. The tendons are red and exude blood when the mouth of the wound is opened. Eyelids closed; eyes large; the inside of the eye has become tender and the conjunctiva is red. A small quantity of dark red liquid exudes from the nostril when the nose is pushed. Teeth closed, biting the point of the tongue. The teeth are in perfect condition and no change is perceptible in the ears. Stomach and abdomen normal .The belly is not large and swollen. The palms of hands and soles of the feet are greyish white and have a moderate growth of double skin. Nails white, anus relaxed. A slight swelling noticed on the left shin, and some skin taken off. Other parts normal.

Verdict.-

It is decided that death was caused by ordinary drowning. 74a

wound on the head was probably received at the time of drowning. The swelling on the left shin was probably the result of sun-burn.

Decision is hereby rendered as above.

September 3, 1897.

(Signed) OHASHI JUN

Chief of Juji Hospital (Private)

No.30 Katsuyamachi, Nagasaki.

wound on the head was probably received at the time of drowning. The swelling on the left shin was probably the result of sun-burn.

Decision is hereby rendered as above.

September 3, 1897.

(Signed) OHASHI JUN

Chief of Juji Hospital (Private)

No.80 Katsuyamachi, Nagasaki.

2D ASSISTANT SECRETARY,
Ack by subject & file.
FEB 28 1898

DIPLOMATIC,
MAR 1 1898
BUREAU.

No. 90.

INDEX BUREAU
REC'D
28 FEB 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, February 4, 1898.

Saiko
Mch 2/98
C

Mr. Buck,

to the Secretary of State.

Subject.

Attitude of Japan towards recent developments in China/

No. 90.

LEGATION OF THE UNITED STATES,

Tokio, Japan, February 4, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to enclose herewith an editorial taken from the "Japan Times" of the 31st ultimo touching upon the attitude maintained by Japan in respect to the complications arising from the occupation of Kiao-chow by Germany. The editor-in-chief of that paper has recently become the private Secretary to Marquis Ito, the Minister President of State, and the paper is supposed to reflect correctly the sentiment of the new administration, if not public opinion in general.

So far as I have discovered there has been less excitement over Germany's occupation of Kiao-Chow than some of the vernacular newspapers of Japan and the press of the United States and Europe have indicated.

Up to this time in my despatches I have not touched upon the situation, as relates to the attitude of Japan, in respect to recent events in China and Korea, because there has seemed to be no great excitement and no pronounced expression of public sentiment other than that of a purpose to watch events and to be ready to meet any emergency that might arise requiring action for the protection of the rights and interests of Japan in her relations with those countries.

There seems to be, however, in consequence of the changed and changing conditions in the East, a fear of loss of prestige

tige , and a desire on the part of the people of Japan, if not a purpose of the Government, to retain possession of Wei-hai-wei contrary to treaty stipulations in event that funds should be raised through the agency of Russia or otherwise and payment be made of the balance of the war indemnity still owing from China. The payment of the remaining portion of the indemnity by the aid of Russia having been rumored and believed to be possible, if not probable, with a view of acquiring territory or obtaining other concessions from China has to some degree alarmed the country.

To summarize the situation as it now appears:- The occupation of Port Arthur and the influence in other respects that Russia seems to have acquired over China, as also the occupation of Kiao-Chow by Germany, added to the controlling influence obtained by Russia in Korea, are regarded as tending to destroy the influence of Japan, and to maintain her prestige in the East she is apparently preparing to assert herself as occasion may require.

I have the honor to be,

Sir,

Your obedient servant,

J. E. Buck

Enclosure:

Clipping from "Japan Times" of January 31, 1898.

Enclosure with Mr. Buck's Do. 90.

The Japan Times.

TOKYO, MONDAY, JAN. 31ST, 1898.

INFORMATION received from European capitals, indicates that an impression prevails in some quarters there that there is a wild excitement in Japan on the Kiao-chow business, and even that this country is going to embark upon some daring action. That there should be such an impression in Europe, is not altogether strange, for undoubtedly Japan is the Power which will be most intimately affected by any change or any modification of the balance of power in these waters. With the diplomatic secret of the Imperial Government, we do not pretend to have any acquaintance. But so far as the public at large is concerned, we may state without any fear of contradiction that there is no outburst of excitement. Look at the press or go into society, you will be surprised at the sobriety and calmness of attitude maintained by our countrymen on this subject. Of course the Japanese would be foolish if they were indifferent about the situation in the Far East. They are watching the course of events with the keenest interest. But it is apparent that they are not in favour of any precipitate movement on the part of their Government. This is a most welcome sign, for it is a proof that sound ideas on foreign policy in general, and on policy in the Far East are fast making their way into the minds of the people. We must not omit another cause of the present calmness of the public attitude, and that is that the people implicitly trust that, whenever necessity arises, the Imperial Government will not fail to take such steps as may be required for the safeguarding of the country's rights and interests. For our own part, we do not believe that the present situation is altogether so critical as it once threatened to become. Every Power seems to be desirous of preserving peace, or what amounts practically to the same thing, no Power seems to be really prepared to undertake the grave responsibility of letting loose the dogs of war.

File



No. 91.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 4, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Extradition papers against Ogawa Kenishi.

NO.91. LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 4, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to inform you that to-day, at the request of H.I.J.M's Minister for Foreign Affairs, I certified to the authenticity of certain papers to be used for the purpose of securing the extradition of one Ogawa Kenishi who, I believe, is now held in San Francisco charged with forging the name of Favre Brandt, a Swiss firm doing business in the treaty ports of Japan. Ogawa's offence, whereby it is said that he fraudently secured about Yen17,000, was committed at Osaka whence he escaped by taking passage on the P.M.S.S.Peru for San Francisco, where he was arrested on arrival.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosure on Dental School filed for reference in B.F.C.

DIPLOMATIC BUREAU.

DIPLOMATIC,
MAR 1 1898
BUREAU.

INDEX BUREAU
REC'D.
28 FEB 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
FEB 28 1898

Vol. 71

Ackd and to Louis Ottley March 2/98 C.

No. 92.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, February 5, 1898.

See Dec 6/97 from Louis Ottley and Dec 15 to him.

Mr. Buck,

to the Secretary of State.

Subject:

Lawyers,
Report on dental school, etc.

No. 92.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 5, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to transmit herewith a report prepared in this Legation, covering the questions asked by Louis Ottofy, D.D.S., enclosed in your Instruction No. 60, of date December 15th last.

I have the honor to be,

Sir,

Your obedient servant,

W. E. Buck

Enclosure:

Report on dental school.

Enclosure No. 6.

Japan Times, Feb 4, 1898.

FOREIGN RESIDENTS IN TOKYO.

At the end of last year the number of foreign residents in Tokyo totalled 761 including 504 males and 257 females. The following figures denote the respective nationalities:—

	Males.	Females.	Total.
Chinese	50	15	64
British	149	75	224
French	64	30	94
German	61	27	88
Russian	10	4	14
Austrian.....	2	—	2
Italian.....	12	—	12
Dutch	9	9	18
Spanish	8	2	10
Portuguese	5	1	6
Danish	1	—	1
Belgian	3	1	4
Swiss	6	—	6
American	107	89	196
Mexican	3	—	3
Brazilian.....	4	3	7
Hawaiian	2	1	3
Korean	8	1	9
Total	504	257	761

N. B. Guests at the hotels are not included in the above list.

Translation.

Enclosure No. 3

LAW NO. 7, - BARRISTERS.

Promulgated March, 1893.

Article I.- Qualifications for the Profession of Barrister.

Sec. I. A barrister is one who practices the profession of law , according to the terms of these regulations, in a court of justice, at the request of private parties or at the order of the court.

Objection is not hereby made to the practice of the profession in special cases and in special courts, according to special laws.

Sec. 2.- Applicants for the profession of barrister must comply with the following conditions:

I.- He must be a Japanese subject, of the male sex, of full age, and possessing the mental capacity as fixed by law.

2.- He must have passed the examinations as fixed for the examination of barristers in these regulations.

Sec. 3.- Regulations for the examination of barristers shall be fixed by the Minister of State for Justice.

Sec. IV.- The following classes of persons may be allowed to follow the profession of barrister without examination:

I.- One who holds the rank of Judge or Public Procurator; or a barrister who has been removed from the registered list at his own request.

2.- Any person who has received the degree of Doctor of Law by the study of law, graduates of the Law Department of the Imperial University, and of the late Tokyo University, graduates from the regular course of the late law school connected with the Department of Justice, and any person who has held the position of junior official in the Department of Justice.

Sec. 5.- The following classes of persons shall be debarred from the practice of law:

I.- Any person guilty of a grave misdemeanor.

This shall not apply to political offences, the penalty for which has been paid.

2.- Any person guilty of an offence against the Imperial family, of counterfeiting, of false accusation, of bribing, of false withess, of robbery, fraudulent possession of property, receiving stolen goods, bankruptcy, or the minor offences enumerated in Articles 175,260, 282, 286, 287, and 360.

3.- One who has been deprived of his public rights.

4.- One who has not been restored to his rights after having received a judgement of insolvency or liquidation; or one who has not paid his indebtedness after a judgement of bankruptcy.

Sec. 6.- A barrister may not have any other public business for which he receives compensation.

Members of the House of Representatives, or the Standing Committee of the Local Council, or the execution of business specially ordered by the court are excepted .

A barrister shall not engage in trade, except with the consent

consent of the Barristers' Association.

Article II.- List of Barristers.

Sec. 7.- Barristers must be registered in the list of Barristers.

Sec. 8.- A list of registered barristers shall be furnished to each local court.

Barristers shall be under the jurisdiction of the court in whose district they are registered.

Barristers coming under Arts. 264 and 279 of the Law of Criminal Procedure shall be filled from among the barristers registered in the district where the court is situated.

Sec. 9.- Any person who desires to be registered in the list of barristers shall forward application to the Minister of Justice through the Public Procurator of the local court.

Certified statements covering the points under Secs. 2 and 6 should be enclosed with the application.

Sec. 10.- A registration fee of Yen 20.00 shall be charged. In case of change of registration from one local court to another a fee of Yen 10.00 shall be charged for the transfer.

Sec. 11.- Regulations governing registration shall be determined by the Minister of Justice.

Article III.- Rights and Duties.

Sec. 12.- A barrister may not practice in the Court of Cassation until three years after registration.

The above shall not apply to one who has been a Judge or Public Procurator for three or more years.

Sec. 13.- No barrister shall refuse to perform the duties ordered by the court without good reason.

Sec. 14.- No barrister shall be allowed to conduct the following classes of cases:

a.- Assisting an opponent by consultation or by acting as his representative.

b.- Matters which have been adjudicated by him in the capacity of Judge or Procurator.

c.- Matters that have been submitted to him as arbitrator in the course of arbitration.

Sec. 15.- A barrister may not purchase a right that is in dispute.

Sec. 16.- A barrister shall give immediate notice to his principal when his authority as the principal's representative is not acknowledged. In case of neglect to give such notice the barrister will be liable for any loss resulting therefrom.

Sec. 17.- A barrister should locate his office at or near the locality where the court is situated, and give notice of its location to the Public Procurator.

Article IV.- Barristers' Association.

Sec. 18.- Barristers shall form a Barristers' Association

tion attached to each local court.

Sec. I9.- The Barristers' Association shall be superintended by the Chief Public Procurator of the court to which the Association is attached.

Sec: 20.- The Barristers' Association shall have a President and a Vice-President.

Sec. 2I.- An annual general meeting shall be held each year. Special meetings may also be held.

Sec. 22.- Committees may be appointed at convenience.

Sec. 23.- Barristers' Associations shall fix their regulations and receive the sanction of the Minister of Justice through the Chief Public Procurator.
Members shall conform in all respects to the rules of the Association to which they belong.
S
Sec. 24.- Barristers may not carry on their profession until they have become members of the Barristers' Association.

Sec. 25.- When a barrister desires to open an office and practice his profession outside of the jurisdiction to which he is attached, he shall conform to all of the rules of the Barristers' Association of that district.

Sec. 26.- Barristers' Associations shall adopt rules for the election of President and Vice-President, standing committes and their duties, the general meeting, meetings of the committees, and the subjects of discussion; also rules of discipline , and rules to regulate fees, commissions and all other matters relating to the business of the Association.

Sec. 27.- The result of the election of President and Vice-President, and of the Standing Committee, the time and place of the general meeting and of the meetings of the Committee, and the subjects of discussion at the same, shall be reported by the Association to the Public Procurator.

Sec. 28.- Barristers' Associations shall discuss only the following subjects:
a.- Those fixed by law, order, or by the regulations of the Association.
b.- Questions proposed by the Minister of Justice or by the court.
c.- Matters to be proposed to the Minister of Justice or to the Court relating to judicial questions or the interests of barristers.

Sec. 29.- The Chief Public Procurator may attend the meetings of the Association or receive report of the result of the discussions.

Sec. 30.- If the discussions of the Barristers' Association have violated the law or the regulations of the Association, the decisions of the Association may be nullified or the discussion stopped by the Minister of Justice.

Article V.- Discipline

Sec. 31.- When a barrister has fiolated this law, or the regulations of the Barristers' Association the President or Standing Committee of the Association shall apply to the Public Procurator for prosecution, upon vote of the Association.

The Public Procurator shall report the case to the Procurator General, either at the request of the President of the Association or in the fulfilment of his duty.

Sec. 32.- The court for the discipline of a barrister shall be held at the Court of Appeal of that jurisdiction.

Sec. 33.- Disciplinary punishment shall be of four grades:

a.- Censure b.- Fine of Yen 100 or less
c.- Suspension from the professionfor one year or less.
d.- Expulsion.

Sec. 34.- Disciplinary punishment shall be treated according to the rules for the discipline of Judges.

APPENDIX.

Sec. 35.- Persons at present following the profession of advocate (daigennin) may become barristers (bengosha) without further examination if application be made within 60 days of the enforcement of these laws.

Sec. 36.- Advocates may continue the business usually conducted by them heretofore until the time above mentioned has elapsed.

Sec. 37.- The provisions of Sec. 12 shall not apply to those persons at present practicing as advocates.

Sec. 38.- This law shall be enforced from May 1st, 1893. Notification of date 1880, of the Department of Justice, relating to advocates shall be abolished from the date of the enforcement of this law.

Translation

Enclosure No. 2

DEPARTMENT NOTIFICATION NO.35.

October, 1883.

Regulations Relating to Licenses of Physicians.

Article I.- A Physician is one who has received a license from the Department of Home Affairs to follow that profession, upon examination.

Certificates that have been granted for the practice of medicine before before these Regulations go into effect, shall be valid.

Article II. Any person desiring to obtain a license for the practice of medicine shall make application through theal authorities to the Department of Home Affairs, enclosing their certificates of examination.

Article III.- When a person who has received a diploma from a Medical School established by the Government , or by a Fu or Ken makes application for a license for the practice of medicine, enclosing their certificate of graduation from the said school, the Department of Home Affairs may grant a license without examination.

Article IV.- When a graduate of the Medical Department of the Imperial University, or a person who has obtained a license to practice medicine in a foreign country shall make application for a license, enclosing their diploma from the said Medical Department or their license for practice abroad, the Department of Home Affairs may, upon examination of the said certificates, grant a license without examination.

Article V. In districts where the number of physicians may be insufficient, at the request of the local Governor temporary licenses for the practice of medicine may, according to circumstances, be granted by the Department of Home Affairs without examination.

Article VI.- A fee of Yen 3.00 shall be paid upon receipt of a license to practice medicine.

Article VII.- The names and original addresses of persons who have obtained licenses to practice medicine shall be registered and published from time to time.

Article VIII.- When any alteration becomes necessary owing to the loss or injury of the license, or the cahnge of name or residence of the holder, application shall be made to the Department of Home Affairs, through the local authorities, stating the circumstances in the case.

Article IX.- A fee of Yen I.00 shall be paid on receipt of a license altered in accordance with the above Article.

Article X.- When the holder of a certificate for the practice of medicine dies or retires from the profession, the license should be returned to the Department of Home Affairs through the local authorities.

Article XI.- When a physician holding a license is guilty of any crime or misdemeanor relating to the profession, his license may be cancelled or suspended by the Department of Home Affairs, upon resolution of the Central Sanitary Association.

Article XII.- When a physician's certificate is cancelled according to the provisions of the above Article, it shall be returned to the Department of Home Affairs immediately, through the local authorities.

If the license be suspended according to the foregoing Article, the term of suspension shall be endorsed on the license, sealed with the local seal, and the license returned to the holder.

Article XIII.- After a license has been cancelled the Department of Home Affairs, upon examination of the person's conduct and vote of the Central Sanitary Association, may remove the prohibition.

NOTIFICATION NO. 34

October , I883.

Regulations Relating to Medical Examinations.

Article I.- Any person desiring to practice the profession of medicine shall be examined according to these Regulations.

Article II.- Examinations for the practice of medicine shall be held by the Department of Home Affairs twice each year.

The time and place of examination shall be announced by the Department of Home Affairs six months in advance.

Articles III and IV.- Cancelled

Article V.- Medical examinations shall be divided into two parts,- preliminary and final; both examinations cannot be taken at the same time.

Examinations for the practice of dentistry shall cover the whole of the required subjects at one time.

Article VI.- Subjects fixed for examinations are as follows:

First Examination,- Physics, Chemistry, Anatomy, Physiology.

Second Examination,- Surgery, Medicine, Materia Medica, Ophthalmology, Obstetrics, Practical examination

Article VII.- The subjects fixed for examinations for the practice of dentistry shall be fixed as follows: Dental Anatomy and Physiology, Dental Diagnosis and Medical Treatment, Dental Materia Medica, Dental Machines, Practical Examination.

Article VIII.-The preliminary examination cannot be taken by any person who has not pursued a course of study for at least one year and a half; and the final examination cannot be taken without at least one and one-half years additional study.

The examination for practice of dentistry cannot be taken except after a course of study extending over at least two years.

Article IX.- Any person desiring to take the preliminary examination shall send application to the local authorities, enclosing a statement of his course of study; and any person desiring to take the final examination shall make application to the local authorities , enclosing the certificate of the preliminary examination, together with a statement of his subsequent course of study, between the months of June and December of each year. All such applications and statements shall be forwarded by the local authorities to the Department of Home Affairs for inspection by the 15th day of the following month.

The above mentioned statement of studies shall be certified to by the applicant's guardian or by two or more practicing physicians.

Article X.- If any applicant for examination appear to have been guilty of any crime or misdemeanor relating to the profession, the case shall be reported by the local authorities to the Department of Home Affairs; and the latter shall, on vote of the Central Sanitary Association, shall debar the applicant from examination for a period fixed according to the circumstances of the case.

Article XI.- The questions for examination shall be fixed by the Chairman of the Committee on Examination, upon consultation with the said Committee; and the applicants shall give written answers in the place appointed for examination.

Oral questions may be given according to convenience.

Article XII.- Cancelled.

Article XIII.-Any person who has failed in examination cannot make application for examination within six months.

Article XIV.- Applicants for medical examinations shall pay the following fees(fees that have been paid will not be returned):-

Preliminary Examination, Yen 5.00; Final Examination, Yen 8.00; Dental Examination, Yen 8.00

Article VII.- The subjects fixed for examinations for the practice of dentistry shall be fixed as follows: Dental Anatomy and Physiology, Dental Diagnosis and Medical Treatment, Dental Materia Medica, Dental Machines, Practical Examination.

Article VIII.-The preliminary examination cannot be taken by any person who has not pursued a course of study for at least one year and a half; and the final examination cannot be taken without at least one and one-half years additional study.

The examination for practice of dentistry cannot be taken except after a course of study extending over at least two years.

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Article XI.- The questions for examination shall be fixed by the Chairman of the Committee on Examination, upon consultation with the said Committee; and the applicants shall give written answers in the place appointed for examination.

Oral questions may be given according to convenience.

Article XII.- Cancelled.

Article XIII.-Any person who has failed in examination cannot make application for examination within six months.

Article XIV.- Applicants for medical examinations shall pay the following fees(fees that have been paid will not be returned):-

Preliminary Examination, Yen 5.00; Final Examination, Yen 8.00; Dental Examination, Yen 8.00

NOTIFICATION NO. IO,

July , I893.

Any person who has passed the scientific portion of the examination for a license for the practice of medicine or of dentistry at a previous examination, may take the examination in the practical part at a subsequent time.

Any person desiring to try the examination in the practical part should make application at the time appointed by the Chairman of the examination committee, enclosing a copy of his certificate of having passed the scientific examination.

A fee of Yen 5.00 shall be paid for this examination.

The above regulation shall go into effect from July 2o, I893.

Translation

Enclosure No. 4

Notification No. I5, Department of Education

May 5, I88I.

General regulations for Private Schools.

Applicants for the establishment of private schools (except primary schools) shall make application according to the following form; and in case of any change like application shall also be made.

Applications for schools already established shall be made in the same manner.

Form.

a. Name of school, and location.

b.- Regulations of school

Purpose of educating students (e.g., professional, technical, commercial etc)

Grade of curriculum,- (see table No.I)

Principles of education (e.g., what subjects, by what methods, or apparatus etc.

c. Text-books (see Table No.2)

d.- Calander,- terms vacations etc.

e.- Age of students

f.- Standing of entering students ,- graduates of what schools or students of what subjects.

g.- Vacations,- Sundays, holidays, summer and winter vacations etc

h. Any further regulations not included under the above

i.-Expenditures ,- Salaries of Director and teachers, cost of books and equipment.

j.-Antecedents of Director and teachers,- name , age, course of study, official service or profession, including copy of diploma or license.

k.-Same for founder of school

Table No. I.

Showing curriculum by terms, subjects, number of hours

Table No. 2.

Showing text)books by subject, no. of volumes, date of issue, name of writer or translator , etc.

Note.

Detailed regulations , under the above general regulations , are left to each Prefecture.

DIPLOMATIC
MAR 8 1898
BUREAU.
2D ASSISTANT SECRETARY,
Copy to Secy of Navy
MAR 7 1898
INDEX BUREAU
REC'D.
7 MAR 1898
DEPT. OF STATE

To Navy Dept. Mch 9/98 C.

No. 93.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 12, 1898.

Ans. Mch. 15/98 C.

Mr. Buck,

to the Secretary of State.

Subject:

Request for appointment of Naval Attaché to Legation.

93

NO. 93.

LEGATION OF THE UNITED STATES.

Tokio, Japan, February 12, 1898.

The Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:-

I have the honor to state that, in consideration of the progress that Japan has already made and is now making as a naval power, in my opinion the interests of the United States require that a Naval officer of superior ability be assigned to this country as an Attaché of this Legation.

I take the liberty to make this suggestion not alone from my own conclusions, but as also from conferences I have had with Admiral McNair, late in command of our naval forces here and Commodore Dewey, his successor.

The Commodore informs me that, in view of the disturbed condition in the East and the necessity of more accurate knowledge touching naval affairs here, that cannot otherwise be obtained, it is important that a Naval Attaché be assigned to Japan and that he will communicate his views to the Secretary of the Navy at once.

I have the honor to be

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
MAR 14 1898
BUREAU

INDEX BUREAU
RECD.
7 MAR 1898
DEPT. OF STATE

NO. 94.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 14, 1898.

Rcbd
Mr. Cooper
Mr. J. Carew
March 21

Mr. Buck,

to the Secretary of State.

Subject:

Transmitting further correspondence in the Epps' case.

No. 94.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 14, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my previous despatch of date January 26th last (No. 89) relating to the matter of the murder of Epps, Apprentice of the U.S.F.S.OLYMPIA, I have the honor to enclose herewith for your further information copies of my note to Baron Nissi, of date the 28th ultimo, and the Baron's note to me of date the 5th instant enclosing a copy of the testimony and other proceedings of the trial of the two men tried for the murder.

It will be observed that the only witnesses examined at the trial of the case were the two defendants. From the statement made by the Chief Judge, as appears in the proceedings , directing that the record of the testimony of James Kiddy and Hans Peter Mattson taken at the preliminary examination be read to the defendants, as also from the statement of the court in rendering its judgement which appears in enclosure No. 3, sub-enclosure No. 2, of my despatch above mentioned, it seems that the court admitted as evidence the record of the testimony of the witnesses for the prosecution taken at the preliminary hearing, to which it must have given little if any weight .

I have the honor to be

Sir,

Your obedient servant,

Alvey A. Adee

(over)

Enclosures:

I.- Copy of Note, Mr. Buck to Baron Nissi, Jan'y 28, '98

2.- " " " Baron Nissi to Mr. Buck, Feb'y 5, I898

(Copy.)

Enclosure No. 1 with Mr. Buck's No 94.

No. 51.

LEGATION OF THE UNITED STATES.

Tokio, Japan, January 28, 1898.

His Excellency

Baron Nisii Tooziro,

etc. etc. etc.

Sir:-

I have the honor to acknowledge the receipt of Your Excellency's note of the 22nd instant, at the same hour that my note of the same dat had been addressed to Your Excellency.

As circumstances were such as to prevent me from having a personal interview with Your Excellency on yesterday as I had intended I take occasion to express in writing my thanks for the infomation given me in Your Excellency's notein respect to the investigation and trial of the two men charged with the murder of Epps of the U.S. Flagship "Olympia" and of the inquiry made in respect to the death of Montgomery of the U.S.S. "Yorktown".

In making the request in my note to Your Excellency for a review of the case against the two men, Nakamura Yomosaku and Kawada Hyakutaro, or an appeal to a higher court in event that the information I then had of the trial and judgment of the court should prove to be correct, I did so in the supposition that sufficient time had not elapsed since the judgment was rendered to preclude a revision of appeal. Having no translation of the criminal code or of the rules of procedure in criminal cases, I made the request upon such information in that respect as I then had, believing that Your Excellency would agree with me as to the inadequacy of the sentences imposed by the court.

Surely the evidence as given at the inquest upon the body of Epps as also that given upon the trial of the two men for his murder as stated by the court as the ground upon which the judgment was rendered should have brought the case properly, as it appears to me, under the provisions of Section 299 of the Criminal Code (as now translated for me) if not under the section defining the crime of murder, rather than

under

Sections 317 and 80 as declared by the Court.

In consideration of the facts and circumstances surrounding the death of Epps, as also that of Montgomery, and in view of the fact which has recently come to my knowledge, that a number of other seamen of our naval ships at Nagasaki have had difficulty, more or less serious with sampan men who were taking them to and from their ships, and in order to prevent a continuance of the perpetration of criminal assaults and perhaps murder of the seamen of our Navy, Your Excellency doubtless will agree with me that the full penalty of the law applicable in each case upon conviction should be inflicted upon the guilty persons.

Still hoping that something can yet be done to inflict what, as it seems would be proper punishment of the men convicted by the Court of causing the death of Epps, and feeling assured that Your Excellency's views coincide with mine as to the necessity of adopting strong measures for the punishment and consequent prevention of such crimes, I avail myself etc.

Signed

A. E. BUCK.

Enclosure No. 2 with
Inst. Buck's No. 94.

Translation. Copy.

No. 6.

Department for Foreign Affairs,

Tokyo, Japan, February 5, 1898.

His Excellency,

Alfred E. Buck,

etc., etc., etc.

Sir:-

I have the honor to acknowledge the receipt of Your Excellency's notes of the 22nd and 28th ultimo, relating to the circumstances connected with the death of Epps, a marine belonging to the U.S.F.S.Olympia, and also to state that I had the honor to communicate with Your Excellency on the subject in my Note of the 22nd ultimo.

In compliance with Your Excellency's request in the Note under reply, I enclose herewith for your information a transcript of the proceedings at the public trial. But with regard to the hope expressed by Your Excellency that the decision of the District court might be appealed to a higher tribunal, I regret to say that the period of five days, fixed by the Law of Criminal Procedure of Japan as the time within which an appeal can be made, having already expired, there does not appear to be any way in which that hope can be complied with.

In reply to Your Excellency's contention that the defendants should have been convicted of the crime of manslaughter if not of murder, I beg to state that the defendants were indicted for trial in the Nagasaki District Court on the charge of manslaughter by the Public Procurator; but in view of the fact that there were certain inconsistencies in the depositions made by the witnesses brought forward by the Commander

of the U.S. gunboat, as well as of the fact the the result of the investigations showed no proof of positive guilt on the part of the defendants, it appeared to be impossible to render a verdict of manslaughter. Yet because it developed in the course of the proceedings at the public trial that the defendants neglected to render Epps assistance when he was drowning a verdict of accidental homicide was rendered by the court above mentioned, and there would seem to be no method of appeal.

I beg to express to Your Excellency my extreme regret that this most unhappy incident has occurred; and with a view to prevent a re-occurrence in the future strict orders have been given to the local authorities in Nagasaki to use all possible precautions.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) Baron NISSI TOGZIRO

Minister for Foreign Affairs.

Translation. Copy. Enclosure No. 1 with Bensa Hirai's Note of Feby 5, 1898

Particulars of the Public Trial of Nakamura Yomosaku

and Kawada Hyakutaro, charged with Manslaughter.

The following is a transcript of the record of the above mentioned trial, tried in the presence of Chief Judge Miyake Chosaku, Judge Yanagawa Katsuji,& Judge Ishiguro Taijiro, attended by Morita Tadawo, Public Procurator, and Ichinose Tetsuji, Clerk, at the Nagasaki District Court, on January IO, I898:-

The defendants appeared without fetters. Barrister Taka Tsunenobu, appeared as counsel for the defence. The case was argued in public session.

Chief Judge:- State your age , status, occupation, present address, and place of birth.

Nakamura Yomosaku:- I am a private citizen (heimin), born December I873, a day-laborer, living at No. 4II, Fuchi Village in Nishi-hiki County. Iwas born at Tokitsu, of the same County.

Kawada Hyakutaro:- I am a heimin, born in March I884, a blachsmith by trade, residing at No. I3I Fuchi Village, Nishi-hiki County. Iwas born at the same place.

The Chief Judge then declared the Court open for the trial of the defendants, charged with manslaughter.

The Public Procurator stated that the facts in the case against the defendants were as stated in the record of the decision of the preliminary examination.

Chief Judge , to Defendant Yomosaku:- Have you ever been convicted of crime before?

Reply: No.

Ques.: Did you take a sailor belonging to the U.S.S. Olympia in a sampan at Nagasaki at about 8 P.M. of December I2, I897?

Reply: Yes.

Ques.: You said that your occupation was that of day-laborer; but do you make a business of rowing a sampan?

Reply: I once made a business of running a boat, but that is not my present occupation.

Ques.: Give the circumstances connected with your taking the sailor on board your sampan on the I2th as above stated.

Reply: An American sailor came to the wharf at Shiga, at Inasa in Fuchi village, and asked to be put aboard his ship. We demanded the fare, but he replied that he would afterwards so we took him in our sampan. We told him to go inside the cabin as he was very drunk and it was dangerous for him outside. He did not do so, however, and as we approached a sailing vessel he fell overboard into the sea. We tried to save him but the sampan was carried forward 4 or 5 fathoms by its own headway. The sailor raised his head above the water and cried a few words; but while we were turning our boat around he disappeared.

Ques.: At what time did the sailor take the sampan?

Reply: Somewhat after 7 P.M., I think.

Ques.: Was he alone?

Reply: Yes, there was but one.

Ques.: What did he look like?
Reply: He was of medium build, and about 20 years old.
Ques.: What nationality did you think he was?
Reply: I thought he was an American sailor by his hat.
Ques.: Was it still light when he came aboard?
Reply: It was almost dark.
Ques.: Do you speak English?
Reply: No, I do not.
Ques.: How then did the sailor make you understand?
Reply: He pointed to the warship and said something, so I supposed he was a sailor belonging to that vessel.
Ques.: Yousay you are not in the sampan business; than how did you come to be carrying passengers on that day?
Reply: An elder brother of Kavada Hyakutaro, one of the defendants, was is a sampan man and was sick on that day, so I was hired to take his place.
Ques.: It seems that the place where the sailor embarked was the Sagari-matsu hatoba; how is that?
Reply: No, it was the Shiga wharf at Inasa, beyond a doubt.
Ques.: How large was the sampan ?
Reply: Something over I2 feet long, about 6 feet wide and 2 feet deep.
Ques.:: Was it a covered boat?
Reply: Yes.
Ques.: According to the statement of a police officer the sampan was about 4 feet II inches,- somewhat smaller than what you say.
Reply: Not being accustomed to row the boat every day, I am not well informed.
Ques.: What equipment did the boat have?
Reply: Two oars, a pole (with a hook on the end), an anchor and a flag-staff.
Ques.: Where was the pole (or boat-hook)?
Reply: Outside of the cabin; the flag-staff was inside.
Ques.: Whereabouts in the boat was the sailor sitting?
Reply: In front of the cabin, towards the middle of the boat , and on the left side.
Ques.: Don't you usually take your passengers into the cabin?
Reply: Yes, we usually take them inside.
Ques.: Why then did you put the sailor outside, in the middle of the boat instead of in the cabin?
Reply: We told him to go inside the cabin; but as he did not understand and moreover was intoxicated, he kept moving.
Ques.: How about the fare?
Reply: It had not been paid as he said he would pay it later.
Ques.: How much was agreed upon?
Reply: The amount was not fixed as we could not understand him and believed he would pay it later.
Ques.: How much ought you to have received?
Reply: As we could not understand him the amount was not fixed.
Ques.: Did you ask him to pay you the money while you were on the way?
Reply: No, only at the hatoba before he got in.
Ques.: But do you not usually demand the fare when you approach the ship?

Reply: We thought he would pay when he boarded his ship.

Ques.: How did you ask for payment at the hatoba?
Reply: I said "Zeni, zeni " (money, money), holding up three fingers; but he didn8t understnd and didn't pay.
Ques.: You say he was towards the middle of the boat on the left hand side. Did he remain in the same place until he fell overboard?
Reply: Yes, he remained in the same position after he ehtered the sampan.
Ques.: How did he fall overboard?
Reply: He was intoxicated and rocking the boat from side to side.
Ques.: Did he do so all the time from the beginning?
Reply: Yes.
Ques.: Did you not take care to row so as to counteract the motion of his body?
Reply: (Not given).
Ques.: What was the distance from the place where he fell overboard to the U.S.S.Olympia?
Reply: I do not know very well as it was dark, but I think it was about 2 cho (720 ft.)
Ques.: Was there any boat near?
Reply: There was an English sailing vessel about 200 or 300 fathoms off.
Ques.: Was there a Russian warship?
Reply: There was, but still futther off.
Ques.: Was there a German steamship?
Reply: I do not know.
Ques.: Which was the nearest ship?
Reply: I think it was the English sailing ship.
Ques.: What did you do when the sailor fell overboard?
Reply: I was frightened and reached out my hand to help him, but could not reach him. In the meantime the sampan went forward. Then the sailor raised his head and called for help. We turned our boat round and tried to reach him with the boat-hook, but he could not be found.
Ques.: The place from which the man fell in must have been forward of the place where you were rowing.
Reply: Yes.
Ques.: Then could you not have reachedhim with your oar?
Reply: I did not think of that.
Ques.: What did the sailor say when he came to the surface?
Reply: I could not tell what it was as I could not understand his language.
Ques.: How are the tidal currents at the place where he fell in?
Reply: There is a slight current at ebb tide.
Ques.: Was it ebb tide or full tide at the time?
Reply:I do not know.
Ques.: Then did the boat go forward by its own momentum?
Reply: Yes.
Ques.: Could you not stop the sampan immediately when th man fell overboard?
Reply: We stopped rowing; I stretched out my hand and Hyakutaro stretched out the boat-hook.
Ques.: Did you not begin to quarrel with the sailor and picking up the boat-hook push him overboard?
Reply: No; there was nothing of the kind.
Ques.: But your actions do not seem to have accorded with the fact that a man had fallen overboard.
Reply: We were not quite accustomed to the boat.
Ques.: What did you do after that?

Reply: We could not find him after we searched for him so we returned to Inasa.

Ques.: Did you not ask assistance from any other persons

Reply: We did not, because we did not know what might happen to us if the matter were known.

Ques.: Did you have a light in your sampan?

Reply: Yes, we had a light all the time.

Ques.: Hoe about your putting out your light and running away when help came from the English ship onhhearing the cry?

Reply: We did no such thing. We had a light all the time.

Ques.: Did the sailor who fell overboard seem able to swim?R

Reply: I do not know, but I presume not as he sank immediately after appearing once.

Ques.: Did any one pursue your sampan?

Reply: I do not know.

Ques.: It seems that you came back from the place rowing at great speed. How was that?

Reply: We did not. We came at ordinary speed.

Ques.: What did you do after that?

Reply: At about I2 o'clock at night we made another trip and went home.

Ques.: Did you not tell what had happened to any other person or to the authorities?

Reply: No.

Ques.: The fact that you told no one of what had occurrd and did not inform the authorities seems to show that you had committed some crimeand were trying to conceal it.

Reply: We did not strike or push him into the water; yet we did not tell any one, not knowing what might be done to us if the matter were known publicly.

To Defendant Hyakutaro Kawada:-

Ques.: Have you been convicted of crime before?

Reply: No.

Ques.: Did you take a sailor of an American warship in a sampan at about 8 P.M. of Dec. I2, I897?

Reply: Yes.

Ques.: You say you are a blacksmith, but why were you rowing a sampan on that day?

Reply: It was Sundayand I had no work. It was our turn with the sampan, so I went to help Yomosaku.

Ques.: Does Yomosaku often take passengers in a sampan?

Reply: He used to be in that business before he went to the Mitsu bishi Shipyard. I think he came that day because it was Sunday.

Ques.: Do you often go to help?

Reply: I have been two or three times.

Ques.: Is there no objection to a young man like you and a day-laborer like Yomosaku's taking sampan traffic?

Reply: We go as we know how to row.

State the particulars of what happened at that time.

Reply: As was stated by Defendant Yomosaku, a drunken sailor asked to be taken aboard his ship in our sampan. He did not go inside the cabin, but was rocking the boat and fell overboard. Yomosaku cried Oh! Oh!. I looked back and stopped rowing. Yomosaku turned the sampan round and I

reached out the boat-hook , but he could not be found. We sti still continued to search for him, but were unable to find him

Ques.: How about the fare?

Reply: We asked him for the fare at the hatoba, before he got in, holding up our fingers, but he pointed to the ship as if to say that he would pay the fare later.

Ques.: Do you understand English?

Reply: No.

Ques.: What hatoba did you start from?

Reply: From the Shiga hatoba, at Inasa.

Ques.: Was it not the Sagari-matsu hatoba at Oura?

Reply: No; the Shiga hatoba at Inasa.

Ques.: Some one saw the sailor - Epps - at the Sagari-matsu hatoba. It cannot be supposed that he took a sampan from both places at about the same time. How is that?

Reply: We took him in at the Shiga hatoba, without mistake.

Ques.: Was the size of the sampan as stated by Yomosaku?

Reply: I also do not know very well.

Ques.: Was the position of the sailor in the sampan as stated by Yomosaku?

Reply: Yes, at first he was towards the middle of the boat. After that I do not know as I was rowing with my back turned.

Ques.: Was the sailor standing?

Reply: I do not know , as my back was turned; but he was standing with one hand on the roof of the cabin, so I suppose that his hand slipped off and he fell overboard.

Ques.: How far from the warship was it where he fell in?

Reply: I cannot tell as it was night.

Ques.: What was the nearest ship?

Reply: A sailing vessel.

Ques.: What was the distance?

Reply: 200 or 300 fathoms, I think.

Ques.: What did you do when he fell overboard?

Reply: I stretched out the boat-hook but could not reach him. Then we turned our boat round and searched for him but could not find him.

Ques.: Did he say anything after he fell into the sea?

Reply: He said something but I could not tell what it was as I did not understand the language. It was like a loud cry or the shout of a drunken person.

Ques.: Do you think he could swim?

Reply: I don't know, but he sank immediately.

Ques.: How far from your sampan was the sailor when he cried?

Reply: The place where he fell in was 4 or 5 fathoms from where we turned our boat.

Ques.: When you could not reach him with the boat-hook did you go back without asking aid from any one else?

Reply: Yes, we returned from fright.

Ques.: Did you have a light in your sampan?

Reply: Yes, we had a light.

Ques.: Then could one see from the outside what was going on inside the boat?

Reply: The outside (of the boat) could be seen a little but the light was in the cabin.

Ques.: Was it possible to see the place where you were rowing by means of the light?

Reply: No, that was not possible.

Ques.: Did you not put out the light?

Reply: No, itwwas not put out.
Ques.: It seems that when he was heard to fall into the water and help came, you put your light out and rowed away at great speed.
Reply: No, we did no such thing.
Ques.: Did you not strike the sailor when he fell overe board as you say?
Reply: No, we did not strike him. If he had any wound it must have been made by the cross-beam of the boat.
Ques.: If there was anything different from the statee ment made by Yomosaku, tell it.
Reply: There was nothing different.

Chief Judge:- Then let the record of the testimony of James Kiddy and Hans Peter Mattson at the preliminary examination be read to the defendants.

Ques.: What have you to say in regard to what you have just heard read?
Reply: We have nothing to say diffent from our previous statements.

A boat-hook that was taken was shown the defendants.
Ques.: Was this the boat-hook you used at that time?
Reply (by Yemosaku): I don't know exactly, but the mark upon it is a mere seal, so I think it was.
Reply (by Hyakutaro): Yes, that certainly is the boat-hook.
Ques.: Did this boat-hook not reach him?
Reply: No, it did not reach him.

To both the defendants:
Ques.: You say that the man was intoxicated; but it seems that although he had been drinking he had become sober and was able to take care of himself. How was that?
Reply: It seemed to us that he was still drunk.

Associate Judge Yanagawa questioned defendant Hyakutaro through the Chief Judge as follows:
Ques.: You stated just now that the man's hand slipped from the roof of the cabin and he fell overboard. Did not the roof of the cabin give way?
Reply: No, his hand slipped off.

The Public Procurator questioned Hyakutaro, through the Chief Judge, as follows:
Ques.: Did you stretch out the boat-hook immediately when he fell overboard?
Reply: Yes.
Ques.: Did you not use the boat-hook before he fell in?
Reply: No, I took it out from the side of the boat, which took some time, and stretched it out immediately, but could not reach him.
Ques.: How did you stretch it out?
Reply: From above.
Ques.: After the man fell overboard did you not return to Inasa round by Ohato?
Reply: Yes, we turned a little towards Ohato.
Ques.: Why did you turn towards Ohato?
Reply: We returned by way of Ohato because we were afraid there would be a big fuss if the matter were known.

The record of the testimony of both the defendants (at the preliminary examination?) was shown.

Ques.: Do you wish to have the record of your testimony read?

Reply, by both: It is not necessary. We have no objection to omitting the reading of the record.

Ques.: If you have any favorable testimony, present it.
Reply: We have none to present.
Ques.: Have you anything further to say?
Reply: No, nothing.

The Public Procurator then said:-

I.- The first question is whether the deceased was the person known as Frank Epps, First-class Apprentice of the U.S. F.S.Olympia. This fact is clearly established by the investigations made by the Commander-in Chief of the U.S.Naval Forces, by the testimony produced at the preliminary examination, by the hat, and by the depositions of the defendants.

2.- Was his death caused by drowning or not? This may be considered as clearly established by the opinion and testimony of James (Kiddie?) and Hans (Peter Mattson?) before the judges of the preliminary examination, and the testimony of Dr. Ohashi Jun and the latter's verdict,- that he met his death by drowning inthe sea.

3.- Did Epps, being intoxicated, fall into the sea of himself? According to the testimony of the various witnesses examined by the Commander-in-Chief , and the facts educed by the testimony and depositions brought out by the investigations at the preliminary examination it is clearly established that Epps was sobered enough to take care of himself; that he had not lost the power of taking care of himself and therefore he did not fall in of himself.

4.- Then did Epps meet his death by drowning as the result of an act of violence on the part of some other person? From the statement of Cameron, a sailor belonging to the English ship , before the Admiral of the American forces, Epps called for help before he fell into the sea, so that it was the result of a quarrel with the defendants. In regard to this point it further appears from the statements made by Kiddie and Mattson together with the whole course of their testimony that Epps was thrown into the sea after a struggle with the defendants. Moreover the defendants themselves stated in the course of their testimony that they went back round by Ohato thinking that there would be a great fuss if they were found on the spot.

If Epps had fallen into the sea of himself the defendants should have rendered him all possible assistance from feelings of humanity. If all were over , they should have made all possible endeavor to find his body. From the fact that they, on the contrary, ran away, it must be concluded that they ran away to conceal their crime. (In short), from a quarrel about the payment of fare they began to struggle and threw Epps into the sea, causing his death.

Barrister Taga (Counsel for the defence):-

I believe that the two defendants are innocent, beyond a doubt. There is not a vestige of proof, either in the record of the preliminary examination or in the statements of the defendants in this public trial, to establish their guilt. Why then should these two persons be suspected of the crime of murder? For this there are two reasons:

First, They concealed the fact that an American sailor, whom they were conveying, had fallen overboard.

Second, A mechanic on an English sailing vessel, from his ship, saw a struggle, heard the sound of a blow with a pole, and a splash,- so he states; and although there are other witnesses bearing the same testimony, it is not sufficient to establish the fact, and I do not think it necessary to discuss it. Among the evidence presented there is more to be feared by the defendants from others than from the statements of the witnesses above mentioned.

If the circumstances of the case be carefully examined it would seem that the second proposition above mentioned cannot be entertained. December 12th was the 19th day of the old calendar. At 7 or 8 o'clock there was no moonlight. Not only so, but the night was very dark. It is an established fact that at man cannot be seen on a dark night at a distance of 100 or 200 yards,- at most not more than 100 yards, by the light of a sampan. This fact is established by inquiries made to seamen and others experienced in that line , who say that when there are a great many lights, that is, a great many vessels with lights, that things can be distinguished ; but that in a case like the present only the light of the sampan could be seen and not the particulars of the affair. This being the case, the testimony relating to the struggle and the taking up of the bar cannot be credited. Although the mechanic states that a bar or some such instrument was used for striking, no wounds were upon the body,- as stated by Dr. Ohashi Jun. Moreover the testimony is discredited by that of Matsuzaki Rokubei, who says that there were no other vessels near the sampan. I therefore conclude there is no proof whatever to establish the fact that the sailor was drowned by the action of the defendants.

As to the crime of causing his death by a blow, in that case the cause of death must have been a wound; but there was no wound in this case. Even if the testimony of the mechanic be accepted, it does not prove that the necessary blow was struck and the fact that the defendants stuck the sailor and threw him overboard is not established. Especially as there was no wound it is clear that it was not the act of the defendants.

According to the testimony of the physician (of the Olympia?) the blow must have been struck from below upwards, while the body was upright; but that again does not agree with the testimony of the mechanic. According to the testimony of Dr. Ohashi Jun, the wound was not received while he was alive. There is therefore no proof to show that that the defendants caused the sailor's death by a blow; and not only so , but it also does not appear that either the blow or the drowning was the act of the defendants.

Moreover it can be seen that the statements of the defendants are essentially true from the fact that from the time of examination by the police to their trial in this court , th

the statements of both the defendants agree. Then why did not these innocent persons report the facts to the authorities? The reason is that they were afraid of what might be done to them if they reported that a foreigner had fallen into the sea and they were not able to find his body, so they concealed the fact rather from ignorance than from any evil intention. It cannot therefore be decided from that circumstance that the deed was the act of the defendants.

From the above facts and reasons I plead for a verdict of not guilty.

The Public Procurator then asked for the proper punishment of the defendants according to Articles 299 and 104 of the criminal code; and further in the case of Hyakutaro under Article 80, second clause of the above code.

The counsel for the defence plead for a verdict of not guilty, in accordance with the provisions of the criminal code.

Both defendants stated that they had nothing more to say

The Chief Justice then stated that judgement would be rendered later.

On the same day the court was reopened according to the previous statement and the constitution of tribunals.

The Chief Judge rendered his decision, and announced that the case might be appealed within five days, and that a certified copy of the proceedings or parts of them might be requested.

The court then adjourned

Chief Judge, MIYAKE CHOSAKU

Clerk of court, ICHINOSE TETSUJI.

January 10, 1898.

DIPLOMATIC,
MAR 9 1898
BUREAU.
INDEX BUREAU
RECD.
7 MAR 1898
DEPT. OF STATE

To Int. Dept
Mch. 10/98
C.

2D ASSISTANT SECRETARY,
Copy to Commissioner of Education for a statement, if practicable, showing the standing etc of this college.
MAR 8 1898

aad

No. 95.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 14, 1898.

Ackn
Mch. 30/98
C

Mr. Buck,

to the Secretary of State.

COPIED FOREIGN RELATONS.

Subject:

Requirements for Medical Practitioners in Japan.

No. 95

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February I4, I898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of instruction NO. 68, of date the 3rd ultimo, enclosing copy of a commuhication from Dr. J.M.Withrow, Dean of the Laura Memorial Woman's Medical College, of Cincinnati, Ohio, stating that two women graduates of that College, natives of Japan, have been denied by the Japanese Government permission to practice medicine, on their return to their native land, the ground for such refusal being, as alleged, that said Government does not admit physicians from the United States to practice in its territory, unless they have been graduated from some few schools in New York, Philadelphia and Chicago.

The rule of the Japanese Government in this regard, as furnished by the Department of Home Affairs, is as follows:

"Article I.- Any person who has received a license from "the Department of Home Affairs, upon examination, may fol- "low the profession of physician.

"Article IV.- When a person who has received a diploma "of graduation from the Medical Department of ~~the~~ a foreign University "Imperial University, or from a medical College abroad, or has received, a license to practice medicine in a foreign "country, shall make application for a license to practice "in Japan, enclosing ~~their~~ said diploma from ~~the said~~ Medical "~~Department of the Imperial University~~ , or ~~their~~ license

to

See Dis. of No 97 of Feb 18.

"to practice abroad, the Department of Home Affairs may, "upon scrutiny of the said certificates, grant a license "to such person without examination".

The point involved in the case under discussion, it would appear from the above quoted regulations, is not that the Japanese Government does not admit physicians to practice medicine in its territory unless they have been graduated from some few schools in New York, Philadelphia and Chicago as stated by Dr. Withrow, but that the right of practice without examination has been denied to the graduates of the Laura Memorial Medical College, under the regulations.

The practical question would seem to be how to secure for the said College such recognition of its diploma as will enable its graduates to practice medicine in Japan without further examination; and as that is evidently a question of privilege rather than a question of right, may I request that I be furnished by Dr. Withrow, with the approval of the Department, such further information relating to the requirements, course of study, etc., of the Laura Memorial Medical College , together with certified copies of papers showing the membership of the College in the American College Association and a copy of the regulations of the said Association, as will enable me to make an intelligent presentation of the case to the Home Department of the Japanese Government, with a view of obtaining, if practicable, the desired recognition.

I have the honor to be,

Sir,

Your obedient servant,

N. E. Buck

See letter of Dec 2.

DIPLOMATIC,
MAR 8 1898
BUREAU.

INDEX BUREAU
REC'D.
7 MAR 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
To Post master General
[Circular of Dec. 14. 1897.]
MAR 8 1898
Ack. by Number and File

No. 96.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 14, 1898.

Enclosure to
P. M. General
March. 9/98
C.

Mr. Buck

to the Secretary of State.

Subject:

Report on Postal Savings Banks.

No. 96.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 14, 1898.

Honorable John Sherman,

Secretary of State,

Washington.

Sir:-

I have the honor to enclose herewith a report on the postal savings bank system of Japan called for by the Department circular of date December 14, 1897.

I have the honor to be,

Sir.

Your obedient servant,

A. E. Buck

Enclosure as above.

DIPLOMATIC,
MAR 21 1898
BUREAU
INDEX BUREAU
REC'D.
19 MAR 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
Make the correction to Ast. Dept.
referring to previous letter of Mar. 10-
aak
MAR 20 1898

NO. 97.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 18, 1898.

To Sec. of Interior
Mch. 22/98
C.
Acka
Mch. 30/98
C.

Mr. Buck,

to the Secretary of State.

Subject:

Amending the reading of Article IV of the regulations for licensing physicians in Japan.

No. 97.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 18, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my No. 95, of date the 14th instant, I have the honor to state that the reading of Article IV of the regulations for the licensing of physicians to practice in Japan should be amended to read as follows:

"Article IV.- When a person who has received a diploma of graduation from the Medical Department of a foreign University or from a Medical College abroad, or has received a license to practice medicine in a foreign country shall make application for a license to practice medicine in Japan, enclosing the said diploma or license, the Department of Home Affairs may, upon scrutiny of the said certificates, grant a license to such person without examination".

Correction noted in #95.

I have the honor to be, Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
MAR 19 1898
BUREAU.

INDEX BUREAU
REC'D
19 MAR 1898
DEPT OF STATE

2D ASSISTANT SECRETARY,
Copy to Secy of War.
So ack. ash
MAR 19 1898

NO. 98.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 21, 1898.

Acknd and
To Secy of War
Mch. 22/98
C.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction No. 44, relating to work of translation for Military Attaché.

NO. 98.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 21, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to Department Instruction No. 44, of date October 20th last, directing me to give instructions to the Japanese interpreter of this Legation to do such translating for the Military Attaché of the Legation as may be required in the course of the official duties of the latter, it being understood that such work shall not interfere in any way with the regular duties of the interpreter in connection with the work of the Department of State , I have the honor to state that there is at present so much translation to do in connection with the work of the Department and in preparation for the time when the new treaties will go into effect that, in my opinion, the translator has but very little if any leisure for the extensive translation of technical material such as the work of the Military Attaché naturally calls for.

Such translation and interpreting of a general nature as has been requested by the Military Attaché heretofore has been and will be cheerfully done by the regular office force. But in this connection I beg leave to state that the experience at this and other Legations in Japan has established the advisability and practical necessity of providing the Naval and Military Attachés with special interpreters in order to

accomplish

accomplish the best results with the least expenditure. Such special interpreter could be secured at the nominal salary of from $I5.00 to $20.00 , U.S.gold, per month.

I have the honor to be,

Sir,

Your obedient servant,

F E Buck

DIPLOMATIC,
MAR 19 1898
BUREAU.

INDEX BUREAU
REC'D.
19 MAR 1898
DEPT. OF STATE

NO. 99.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 22, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction No. 69, of date January 3, last; relating to Nagasaki Harbor improvement scheme.

NO. 99.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 22, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge herewith Department Instruction No. 69, of date the 3rd January last, relating to the Nagasaki Harbor improvement scheme.

I have the honor to be,

Sir,

Your obedient servant,

J. E. Buck

DIPLOMATIC,
MAR 19 1898
BUREAU.

INDEX BUREAU
REC'D.
19 MAR 1898
DEPT OF STATE

NO. 100.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 22, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction No. 73, of date January 6, 1898.

NO. 100.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 22, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge herewith receipt of Department Instruction No. 73, of date January 6th, last, informing me that Rear Admiral McNair, then Commanding the United States Naval Forces on the Asiatic Station, had been directed to keep in constant communication with me in connection with the efforts that were being made to bring to justice the murderers of the seamen of the U.S.S."Olympia" and "Yorktown" at Nagasaki.

I have the honor to be ,

Sir,

Your obedient servant,

J. E. Buck

DIPLOMATIC,
MAR 19 1898
BUREAU.

NO. 101

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 22, 1898.

INDEX BUREAU
REC'D.
19 MAR 1898
DEPT. OF STATE

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of confidential despatch No. 77,
of date January 12, 1898.

NO. 101.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 22, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge herewith receipt of confidential Instruction No. 77, of date January 12th, last , relating to the subject of the proposed annexation of the Hawaiian Islands to the United States, and the attitude of our Government in regard to the "vested " rights" of Japan in those Islands should annexation be accomplished.

The memoranda accompanying the Instruction noted have been read with great interest.

I have the honor to be,

Sir,

Your obedient servant,

J. E. Buck

DIPLOMATIC,

MAR 21 1898

BUREAU.

INDEX BUREAU RECD. 19 MAR 1898 DEPT. OF STATE

2D ASSISTANT SECRETARY,

MAR 20 1898

Copy to Secy of Navy to complete the correspondence on the subject.

Ack. was crossed by the Dept's instruction No — which informed him that the Secy of the Navy did not find it practicable at present to detail an officer on the suggested service.

aab

No. 102.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 23, 1898.

Acknd and
to Sec of Navy
Mch. 22/98
C.

Mr. Buck

to the Secretary of State.

Subject:

Enclosing a letter from J.McD.Gardiner, recommending Engineer R.G.Denig, U.S.N., for the post of Naval Attaché of this Legation, for the information of the Secretary of the Navy, should it be thought proper to refer it to him.

No. 102.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, February 23, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

Referring to my Dispatch No.93 of the 12th instant, recommending the assignment of some officer of the navy as attaché of this Legation, I have the honor to enclose herewith, for the information of the Secretary of the Navy, should it be thought proper to refer it to him, a copy of a letter from J.McD.Gardiner of this city, in respect to some qualifications of Engineer R.G.Denig for such assignment. Mr.Gardiner is a prominent United States citizen, whose statement, in the event and Commodore Dewey should not suggest some other officer, that a Naval Attaché is to be assigned to this post, perhaps is worthy of some consideration.

From what has been stated to me by Baron Sannomiya, H.I. J.M's. Grand Master of Ceremonies, and by Mr.Gardiner, both of whom concur in their statements, concerning the qualifications of Engineer Denig, I am inclined to think that, by reason of his past friendly relations with the Japanese naval officers and some high officials of the Government, he would be well received here and perhaps in these respects would have some advantage in obtaining information that some other officer

ficer might not have, thouhg I do not desire to be understood as recommending Engineer Denig's assignment——knowing nothing of him in any respect , other tham the information given me as above stated.

I have the honor to be,

Sir,

Your obedient servant,

H. E. Black

Enclosure:

A letter from J.McD.Gardiner, recommending Engineer R.G. Denig, U.S.N., as qualified for the post of Naval Attaché of this Legation.

(Copy)

Enclosure with Mr Buck's No 102, of February 23rd, 1898.

Tokio, Japan, February 22, 1898.

To H.E. Col. A.E. Buck,

U.S. Minister, Tokio.

My Dear Col. Buck:-

Referring to the conversation, you may remember, we held, in the latter part of December, I should like, if I may be permitted the liberty, to press upon you the qualifications of Lieut. Robert Gracey Denig for the post of Naval Attaché to our Legation in Japan.

In the first place Lieut. Denig has what is, in my opinion, the first requisite, namely an intelligent interest in, and sympathy for, the Japanese, coupled with a reasonable admiration for them. He has won, by his natural qualities, many earnest friends among the very people with whom an official position such as that under consideration would bring him into closest contact, namely the officials of the Japanese Navy, a number of whom he holds by the intimate ties of respected teacher and pupil.

During the Japan-China War, when he was last on this station, he not only availed himself of the many opportunities for familiarizing himself with the coasts of China, Japan and Corea, but he was most indefatigable, too, in his study of "things Japanese" in general and I dare say there are few men, even among the oldest residents of Japan, who can compare with him in his thorough acquaintance with all phases of the Japanese character and aims. He won golden opinions for himself among the officers of the Japanese Navy stationed at Newchang, China, while the U.S.S. "Petrel" was in winter quarters there. Not only among these Naval officials, but also among the Civil official of the post, did he make himself known as a most acceptable and agreeable gentleman and officer: and in this connection you may recall how highly he was spoken of by Baron Sannomiya, who at that time was Governor of the Province and is now Grand Master of Ceremonies to His Imperial Majesty the Emperor of Japan.

Besides these he numbers among his very warm friends Mr. Wakino, the present Minister to Italy, Admiral Nire (whose son Lieut. Nire

was a pupil of Lieut. Denig at the Naval Academy, Annapolis,) and Viscount Nishina and a host of others, too numerous to mention, but all of whom, I am quite sure, would be only too glad to add their endorsements, if they were required.

I must not fail to mention another fact, and a very important one too, it seems to me, namely, that Mrs. Denig is quite as popular socially with the Japanese, both in civil and official life, as her husband is with the naval authorities.

All things considered, I do not think it would be possible to find an officer better fitted for the post, and it gives me the greatest pleasure to recommend to the propriety of nominating Lieut. Denig for appointment as Naval Attaché to the U. S. legation in Japan, feeling sure, as I do, that he will acquit himself creditably, not only to the service, but to the country of which we have such good reasons to be proud. I feel that I could not do a more patriotic act, on this National Holiday, than to throw any influence I may have, into the scale on the side of one who, while he will always be a loyal American, will at the same time be enough of a citizen of the world to recognize the good qualities that belong to others as well as to ourselves, a spirit that will at least contribute to the binding together of the nations of the world into a brotherhood, such as will bring the answer to our earnest prayers for Universal Peace.

You are of course at liberty to make use of this note in any way you may see fit.

With the highest respect, I beg to subscribe myself

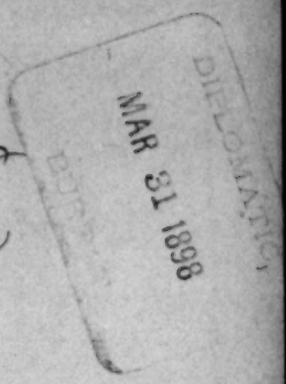
Your obedient servant

J. McD. Gardiner.

No. 103.



Ans. Apl. 6/98



LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Forwarding three copies of a pamphlet issued by this Legation upon the rights and duties of American citizens.

Second Assistant Secretary's Room.

MEMORANDUM.

March 29, 1898.

Dear Judge Penfield:

I would be glad to have you look over Mr. Buck's pamphlet. I am inclined to think it a very fair compendium, and to let Mr. Emory print it in the advance sheets for general information. In that form we could send it to all our Legations. Have you any other suggestion to offer?

A. A. A.

SOLICITOR'S OFFICE
MAR 30 1898

Inc Adv.

I do not approve the publication of the pamphlets in the advance sheets, as it would seem to be out of place there — "a misfit."

Nor do I approve publication by this department as it is [illegible] unnecessary and incomplete, and would be published, if at all, as the work of the Dept. to which it belongs, and then only when thoroughly and completely done.

W. L. P.

form to our Legation

The subject treated of in the pamphlet is pretty thoroughly covered in the Printed Instructions to Diplomatic Officers, prepared and promulgated by the Dept. itself.

MAR 30 1893

M. Adee.

Mr. Buck's selections seem well adapted for the purpose intended.

I doubt, however, the expediency of publishing the pamphlet in the Advance sheets of the Consular Reports, for the purpose of furnishing in that

Second Assistant Secretary's Room.

MEMORANDUM.

March 30. 1898

Mr. Smith

Ack complimentarily and file -

A Clay

No. 103.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to forward herewith three copies of a small pamphlet I have had published, for the information of American citizens in Japan.

So numerous have been the inquiries of our citizens in his country, especially from missionaries residing outside the open ports, touching their rights and privileges as United States citizens under the present treaty, as also their duties in respect to the requirements made of them in obtaining United States passports and Japanese travelling permits, that it seemed best to furnish such information by the publication of such extracts from State papers as bear directly upon the subject of their inquiries.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Mr. Bucks No. 103, of March 4th, 1898.

Rights and Duties of Citizenship.

FROM STATE PAPERS.

ISSUED BY

THE UNITED STATES LEGATION,

TOKYO, JAPAN.

CONTENTS.

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RIGHTS AND DUTIES OF CITIZENSHIP.

FROM STATE PAPERS.

Rights and Duties Reciprocal:—There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance.

(Chief Justice WAITE).

The right to be acknowleged as a citizen of the United States must be held as a high privilege and a precious right.

If the citizen, on the one side, has rights which he may claim at the hands of the Government, on the other side there are imperative duties which he should perform toward that Government. If, on the one hand, the Government assumes the duty of protecting his rights and privileges, on the other hand the citizen is supposed to be ever ready to place his fortune and even his life at its service, should the public necessities demand such a sacrifice.

(Mr. FISH, Secretary of State, June, 1873).

Citizenship of the United States, it is my duty to say, is a high privilege, and.....confers great prerogatives, whose maintenance, when they are honestly procured and faithfully exercised, the United States will exert its fullest powers to vindicate..... But the enjoyment of these prerogatives is conditioned on the performance of the correlative duties of

loyal service, of love to the country of [birth or] adoption, of support of the country when she needs support, and the payment of the just taxes that country imposes upon all its citizens. When the performance of that duty ceases, then cease the prerogatives of the citizenship on which they are conditioned.

(Mr. BAYARD, Secretary of State, March 20th, 1886).

[See further under head of *Passports*.]

Abandonment:—Citizenship involves duties and obligations as well as rights. The correlative right of protection by the Government may be waived or lost by long-continued avoidance and silent withdrawal from the performance of the duties of citizenship as well as by open renunciation.

(Mr. FISH, Secretary of State, October 30th, 1871).

A citizen of the United States may forfeit the protection of its Government abroad by making his permanent residence abroad and avoiding performance of the duties of citizenship.

(Mr. FISH, Secretary of State, April 28th, 1873).

When a citizen of the United States goes abroad without any intention to return, he forfeits, with the abandonment of his country, all rights to the protection of its Government.

(Mr. FISH, Secretary of State, June 12th, 1873).

The forms of application presented and furnished by the State Department for a passport by a native being submitted to Mr. ....., [in the employ of an English firm in London,] he stated his unwillingness and inability to subscribe to the averments of his being domiciled in the United States or having a permanent residence there, or that he intended at any time to return to the United States with the purpose of residing and performing the duties of citizenship therein.

Thereupon I declined to issue him a passport regarding all the above recited averments to be essential regulations, prescribed

after careful consideration and in the high discretion of the Executive, as interpreted by the Department of State.

It is well that our countrymen should be reminded from time to time of the mutual dependency and correlation of allegiance and protection, and that each is the natural compensation for the other. When a man voluntarily leaves his native country, settles himself in a foreign community, embarks his property in business under its laws, making his permanent domicile there, and furthermore expressly declares he has no intention to return to his native country to resume his residence and perform the duties of citizenship, he has practically abandoned his allegiance, and with it the right to claim protection from the Government from which he has so alienated himself.

(Mr. BAYARD, Ambassador to Great Britain, September 26th, 1893).

Distinction between Legal Status and Right to Protection:—Between the legal status of citizenship and the right to continued protection during indefinitely prolonged sojourn abroad, the executive authority of the United States draws a clear distinction in exercising its statutory discretion to issue passports as evidence of the right to protection. The relation of the citizen to the state being reciprocal, embracing the duties of the individual, no less than his rights, the essential thing to be determined is the good faith with which the obligations of citizenship are fulfilled.

The best evidence of the intention of the party to discharge the duties of a good citizen is to make the United States his home; the next best is to shape his plans as to indicate a tolerable certainty of his returning to the United States within a reasonable time.

(Mr. ADEE, Assistant Secretary of State, April 28th, 1893).

Special Classes, (Missionaries etc.):—The presumption of abandonment of nationality by long absence abroad is rebutted by a proof that such a residence was that of a missionary who

never intended to relinquish his nationality or his purpose finally to return home.

(Mr. EVERETT, Secretary of State, February 5th, 1853).

The case of an American missionary in a country where the United States possesses extraterritorial jurisdiction presents certain exceptional features which may well invite relaxation of requirements not obviously necessary in their regard.

In China, as in other extraterritorial countries, the fact of continued sojourn of a native-born citizen of the United States does not alone create a prima facie presumption of intent to acquire political domicile there. Short of actual naturalization as a Chinese subject, the individual is and remains under the jurisdiction of the United States: and no conflicting claim to exercise jurisdiction over him is possible on the part of China. Moreover, the peculiar conditions under which American missionaries reside in China, and their self-sacrificing devotion to the calls of higher duty may, and indeed often do, bring about an abandonment of a fixed domicile in the United States without the acquisition of a domicile in the country of residence. Such men are for the most part agents of American societies, and when they are native-born citizens the requirement that they shall prove retention of a permanent domicile in the United States is a needless hardship, because often impracticable of fulfilment by a conscientious missionary whose residence in China has been taken up, in fact, with a purpose to pursue there his life work; so, also, as to the intention to return to the United States, which in most cases may amount merely to a floating and contingent purpose.

Mr. ..... is a native-born citizen, employed in China by an American society under circumstances which make his retention of domicile in the United States impracticable and his purpose of return indefinite, but which do not of themselves withdraw him from American jurisdiction. If, as the Department infers, the difficulty on Mr. .....'s part is conscientious,

he may now make an entirely honest and acceptable declaration in the line of these suggestions which will satisfy you of his bona fides. Such explanatory statements would certainly be more acceptable and more truthfully indicative of the relation which should exist between the citizen and the state than the declaration that he does not intend to return to the United States except against his will, "as forced to do so by sickness or family." Mr. ....'s own good judgment should suggest to him that persistence in such a declaration as he makes is not only unwise but needless, and is a dangerous approach to the border line of a formal renunciation of his rightful status as a loyal citizen.

(Mr. FOSTER, Secretary of State, July 18th, 1892).

The facts of his business employment abroad may importantly modify this aspect of his case if the firm he serves..... be the foreign branch of a business concern having its headquarters in the United States.

(Mr. ADEE, Assistant Secretary of State, April 28th, 1893).

In those Oriental countries where the rule of extraterritoriality prevails, the test of citizenship found in a continued connection with business interests having their root in the United States may have its weight, but there are other tests.....having equal or perhaps greater value in showing a bona fide conservation of the American character and an effort to uphold the good repute of our country abroad. It should not be difficult in the light of common sense to distinguish between merely selfish residence abroad, under circumstances which involve a practical renunciation of all home ties, and the adoption of a course which essentially requires the individual's nationality to be asserted. Men who, ... are by their employment and conduct "exercising an influence on civilization and giving strength to the position of our country" in Japan, need not fear inquiry

into the good faith wherewith they retain a distinctive American nationality.

(Mr. GRESHAM, Secretary of State, August 22nd, 1893).

Naturalized Citizens:—All naturalized citizens of the United States while in foreign countries are entitled to and shall receive the same protection of person and property which is accorded to the native born citizens (Revised Statutes, Sec. 2000). The United States have treaties, however, with several countries regulating and controlling the status of naturalized citizens of the United States on their return to their native land.

Naturalization in the United States, without an intent to reside permanently therein, but with a view of residing in another country, and using such naturalization to evade duties and responsibilities to which, without it, he would be subject ought to be treated by this Government as fraudulent.

(Instructions to Diplomatic Officers).

Rights and Privileges:—Citizens of the United States whilst residing in Peru are subject to its law and the treaties existing between the parties, and are amenable to its courts of justice for any crimes or offences which they may commit. It is the province of the judiciary to construe and administer the laws; and if this be done promptly and impartially towards American citizens, and with a just regard to their rights, they have no cause of complaint. In such cases they have no right to appeal for redress to the diplomatic representative of their country, nor ought he to regard their complaints. It is only where justice has been denied or unreasonably delayed by the courts of justice of foreign countries, where these are used as instruments to oppress American citizens or deprive them of their just rights, that they are warranted in appealing to their Government to interpose.

(Mr. BUCHANAN, Secretary of State, February 1st, 1848).

The principle [of non-interference] does not at all interfere the right of any state to protect its citizens or those entitled s protection when abroad from wrongs and injuries, from rary acts of oppression or deprivation of property, as contra- nguished from penalties and punishments incurred by the ction of the laws of the country within whose jurisdiction ufferers have placed themselves.

(Mr. MARCY, Secretary of State, January 10th, 1854).

Another privilege of a citizen of the United States is to and the care and protection of the Federal Government over ife, liberty, and property, when on the high seas or within jurisdiction of a foreign Government. Of this there can be oubt, nor that the right depends upon his character as a en of the United States.

(Justice MILLER).

Every person who voluntarily brings himself within the diction of the country, whether permanently or temporarily, subject to the operation of its laws, whether he be a citizen mere resident, so long as, in the case of the alien resident, no ty stipulation or principle of international law is contravened.

(Mr. BLAINE, Secretary of State, November 25th, 1881).

On general principles it is safer not to protest against local inances until at any rate the rights of American citizens pear to be specifically invaded.

(Mr. BAYARD, Secretary of State, November 11th, 1885).

Citizens Passports:—A passport is the usual form in which is Government attests the nationality of citizens of the United tates to a foreign Government.

(Mr. FRELINGHUYSEN, Secretary of State, November 9th, 1883.)

Passports are *prima facie* evidence of the individual's ri
a citizen to the protection of the Government which issues
and a special responsibility rests upon the Government that
gards such evidence. The system, in fact, requires the is
Government to demand for the bearer such treatment and pr
tion as it gives *e converso* to aliens within its jurisdiction, and
the other to respect the evidence which has been thus furni

(Mr. BAYARD, Secretary of S
May 19th, 1886).

The oath [or affirmation] of allegiance to the United S
will be required in all cases.

(Instructions to Diplomatic Offic

A passport is good for two years from its date and no lon

(I

Upon that subject I have to inform you that applicants
the Department are uniformly advised that a passport is good
two years from its date, and no longer; and that persons app
ing to an American representative abroad will be requi
to furnish satisfactory evidence that they are still entitled
protection as citizens of the United States. It is conside
that an indefinite residence abroad might be quite as mu
encouraged by the possession of a passport good for an indefin
period, as by the operation of the rule which forces the pa
to submit his case anew to the careful scrutiny of the legation
often as once in two years, with suitable evidence beari
upon his claim to continued protection.

(Mr. EVARTS, Secretary of Sta
February 5th, 1878).

The Department's general rule is simply that the eviden
of citizenship which shall entitle a person to protection abro
is identical with the evidence upon which a passport can
issued, and the two propositions are usually merged by requiri

the applicant to take out an American passport if he does not already possess one, to do which the usual statements under oath or affirmation are necessary, including a declaration of allegiance. The Department has wisely established the uniform regulation that a United States passport shall not issue to a citizen at home or abroad without evidence that he bears the due allegiance of a citizen to the Government whose protection he claims.

(Mr. SHERMAN, Secretary of State, August 12th, 1897).

Travelling Permits:—The Chinese [Japanese] certificates are at the most merely transit passes.

We have, however, decided many times, that no such pass or certificate, which carries on its face recognition of the bearer's nationality, can be issued in lieu of a regular passport as prescribed by statute.

The true solution would seem to be to provide for the issuance by the consuls of a form of limited-transit certificates, but only on presentation of a passport previously issued by the Legation, or upon filling a duly attested application for a passport with evidence of citizenship accompanied by the legal fees.

(Mr. FRELINGHUYSEN, Secretary of State, January 19th, 1885).

The endorsement by the Legation of an American citizen applying for a Japanese travelling permit must necessarily depend on the proof of his citizenship.

(Mr. SHERMAN, Secretary of State, August 12th, 1897).
[See above, under *Passports*.]

Women and Children:—When the applicant for a passport [citizen's] is accompanied by his wife, minor children, or by a servant who is a citizen of the United States, it will be sufficient to state in the passport the names of such persons and their relationship to or connection with him.

A separate passport should be issued to each person of full age not the wife or servant of another with whom he or she is travelling. (Instruction to Diplomatic Officers).

Note.—Unmarried women of full age apply for passports in the same form as men.

All children born out of the limits and jurisdiction of the United States whose fathers were at the time of their birth citizens thereof are citizens of the United States; but the rights of citizenship do not descend to children whose fathers never resided in the United States. That the citizenship of the father descends to the children born to him when abroad is a generally acknowledged principle of international law.

(Revised Statutes, Section, 1993).

Marriages:—A consular officer of the United States has no power to celebrate marriages in a Christian country between citizens of the United States unless specifically authorized by the laws of the country to do so. In non-Christian countries his authority to perform this rite is not sufficiently well established and defined in the jurisprudence of the United States to justify action upon it. It is deemed safer to forbid consular officers, and they are hereby forbidden, to solemnize marriages in any case.

A consular officer may, when requested, be an official witness of the ceremony of marriage where one of the contracting parties is a citizen of the United States. In all cases of marriage in the presence of a consular officer he shall give to each of the parties a certificate of such marriage, and shall also send forthwith a certificate of such marriage to the Department of State.

(Consular Regulations, 1896).

Personal Effects of Citizens Dying Abroad:—It is made the duty of a consular officer, where the laws of the country permit, ... to take possession of the personal estate left by any citizen of the United States, other than seamen belonging to any vessel, who shall die within their consulate, leaving

re no legal representative, partner in trade, or trustee by him
ointed to take care of his effects.

Note.—This applies to all cases of citizens dying intestate.

When any such citizen so dying appoints, by any lawful
amentary disposition, any other person than such officer to
e charge of and manage such property, it shall be the duty
he officer, whenever required by the person so appointed, to
e his official aid in whatever way may be necessary to facilitate
proceedings of such person in the lawful execution of his
st.

(Consular Instructions, 1896).

DIPLOMATIC,
MAR 28 1898
BUREAU.

No. 104.

INDEX BUREAU
REC'D.
28 MAR 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Instruction No. 81 of January 27th last, accompanying Supreme Court Reports (Davis Nos. 132-166)

No.104.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.81 of January 27th last, informing me that two boxes of volumes of Supreme Court Reports (Davis Nos. 132-166) were sent therewith, and to acknowledge the receipt of the volumes.

I have the honor to be,

Sir,

Your obedient servant,

W E Buck

DIPLOMATIC,
MAR 28 1898
BUREAU.

INDEX BUREAU
REC'D.
28 MAR 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
Letter and seeds to the Secy of Agriculture - So ask. aab
MAR 28 1898

No. 105.

LEGATION OF THE UNITED STATES.

Tokyo, Japan, March 4, 1898.

Letter of Agr Dept in acknowledgment forwarded to Min Agric. 7/98 C.

Large package of seed and letter herein described sent to Sec. of Agr. Mch 30/98 No transmitting letter from this Legn. C.

Ack'd Mch. 30/98 C.

Mr. Buck

to the Secretary of State.

Subject:

Requesting that accompanying unsealed cover and package addressed to the Secretary of Agriculture be forwarded to him.

No. 105.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to transmit herewith, unsealed under separate cover, a letter addressed to the Honorable the Secretary of Agriculture (copy enclosed herewith), which is accompanied by a package containing samples of twenty varieties of Japanese rice and of ten varieties of Japanese soy-bean, desired by the Secretary of Agriculture. I have the honor to request that these be forwarded to him.

I have the honor to be,

Sir,

Your obedient servant,

V. E. Buck

Enclosure:

Copy of letter to the Secretary of Agriculture, as above.

The package is held in the mail Room

Enclosure with Mr. Buck's No 105, of March 4th, 1898.

(Copy)

No. 84.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

To the Honorable James Wilson,

Secretary of Agriculture,

Washington, D.C.

Sir:

Referring to my letter of August 4th last, with which I sent, in compliance with the request contained in your letter to me of May 12th last, samples of wheat, barley, and naked barley grown in Japan, I take pleasure in forwarding herewith samples of twenty varieties of rice and of ten varities of soy-bean, together with a copy, enclosed of the list of names of varities (numbered to correspond to the numbers on the samples) and the comments regarding the season for planting, etc., which came with the samples from the Central Agricultural Experiment Station.

Very respectfully yours,

(Signed) A. E. Buck.

Enclosure:

Copy of list of names of varities, with comments, as above

Central Agricultural Experiment Station,

Nishigahara, Tokyo.

The ordinary rice or "Uruchi" which is grown in the irrigated land or paddy field.

(a) Early varities. I. Homura. 2. Shinshu. 3. Kyowase. 4. Shimmori.

(b) Medium varities. 5. Sekitori. 6. Araki. 7. Shiratama. 8. Kinchaku.

(c) Late varities. 9. Gotambo. I0. Hosoye. II. Sugaippon. I2. Genroku. I3. Fusakichi.

The glutinous rice or "Mochigome" which is also grown in paddy field.

I4. Ginmochi. I5. Tokiyamochi.

The upland rice or Okabo. (a) Ordinary upland rice. I6. Oiran. I7. Kyuzo. I8. Kumamoto. I9. Terishirazu

(b) Glutinous upland rice. 20. Shinobumochi.

Soy-bean or "Daidzu". (a) Early varities. I. Akasaya. 2. Nakade.

(b) Medium varities. 3. Deko. 4. Sennari. 5. Fukuishiro.

(c) Late varities. Kiyomasa. 7. Mejiro. 8. Aoteppo. 9. Kinoshita. I0. Asahi.

The varities of rice No.I—No.I5 are suited to be grown only in the irrigated land or paddy field, and in Japan the seed is sown in seed bed at the rate of three-fourths of a pound per "tsubo"(6 feet square) in the end of April or in the beginning of May, and transplanted 30—45 days after sowing

ing, when the young plants grow 6—8 inches high, in rows of from I0—I2 inches apart and at a distance of from 8—I2 inches. From 3—I0 young plants are planted together. Eight or ten of such "tsubo" serve for the seed plants of one "Tan", or one-fourth of an acre. Irrigation or watering of the rice field continues constantly, until the ears of rice plants begin to develop out. The harvesting takes place from the middle of September for early varities, to the end of November for late varities.

Upland rice or "Okabo" may be cultivated without irrigation in the field where wheat or barley is grown. Distance between rows should be about 2 feet, and the quantity of seed required per "Tan"(one-fourth acre) is about one-fifth of a bushel. Time of sowing "Okabo" in Nishgahara, Tokyo, is the middle of May.

DIPLOMATIC,
MAR 28 1898
BUREAU
RECD. D.C.
28MAR1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
To Secy of Agriculture
Answer as Mr Wilson
may reply.
MAR 28 1898

No. 106.

To Agr Mch. 30/98 C.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

Ans'd Apl 1/98 C.

Mr. Buck

to the Secretary of State.

Subject:

Requesting that the Secretary of State endeavor to have forwarded from the Department of Agriculture certain seeds for the Central Agricultural Experiment Station, Tokyo.

DIPLOMATIC
MAR 28 1898
BUREAU
RECD. C
28MAR1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
To Secy of Agriculture
Answer as Mr Wilson
may reply.
MAR 28 1898

No. 106.

To Agr Dept. Mch. 30/98 C.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

Ans'd Apl 1/98 C.

Mr. Buck

to the Secretary of State.

Subject:

Requesting that the Secretary of State endeavor to have forwarded from the Department of Agriculture certain seeds for the Central Agricultural Experiment Station, Tokyo.

No. 106.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 4, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

In view of a request from the Director of the Central Agricultural Experiment Station, Tokyo, who has obtained for me a number of varieties of seeds etc. desired by the Department of Agriculture at Washington, I have the honor to request that you will endeavor to cause to be forwarded to me from that Department samples of the various kinds of American potatoes, tobaccos, and pepermint-mentha (for seeding purposes) for the use of the Agricultural Experiment Station here.

I have the honor to be,

Sir,

Your obedient servant,

J. E. Buck

No. 107.

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4 APR 1898
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Ack. April 6.'98

DIPLOMATIC,
APR 5 1898

LEGATION OF THE UNITED STATES.

Tokio, Japan, March 14, 1898.

The Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:-

I have the honor to enclose herewith a newspaper cutting which has lately come to hand, and which gives a statement of the disadvantages that officers of our Army are under when attached to Legations abroad.

Minister Tower's statement while more especially applying to the officer of the Army attached to his Legation, applies with equal force in the case of Brevet Lieut. Col. Rice, Attaché of this Legation, who had distinguished himself in the volunteer Army in the War of the Rebellion, now holding only the rank of Captain in the Regular Army.

I have the honor to be

Sir,

Your obedient servant,

A. E. Buck

Enclosure. Newspaper cutting as above.

and consolence [illegible]

AT A DISADVANTAGE.

Why American Military Attaches in Foreign Countries Are Relegated to the Rear.

[Special Dispatch to the Boston Herald.]

WASHINGTON, D. C., Feb. 6, 1898.

Some interesting correspondence has recently taken place between the state department and United States Minister Charlemagne Tower at Vienna upon the subject of the rank and pay of our military attaches abroad. Lately the Senate military committee ordered a favorable report on a bill to increase the rank and salaries of all men serving at legations and embassies as military attaches, and the House committee will probably agree to take similar action.

For years complaints have been made to the department that military attaches from this country are often humiliated by having to "play second fiddle" upon all official occasion to officers, frequently from small countries, but whose representatives have been given rank that entitled them to higher respect than the American officers receive.

Minister Tower takes the case of Lieut. Chamberlain of the artillery on duty at the Vienna legation. Mr. Tower shows that nine military attaches are at present stationed at Vienna beside Lieut. Chamberlain; that they are all about the age of Chamberlain—that is, 40, but the five rank as colonels, three as lieutenant-colonels, and one as major. The fact that the exigencies of the service in the United States may keep a number of the lowest grades for a number of years longer than is ever the case in European armies is not understood in Vienna. The military attache of the United States, says the minister, feels himself at constant disadvantage in his associations with European officers, who, in spite of his 17 years' actual service in the army, is outranked by all those serving other countries in the same capacity, and, naturally, he cannot escape the criticism which would be applied to a similar case should it occur in Vienna, namely, that if an officer had reached the age of 40 without becoming a field officer, it was because he was not thoroughly worthy of promotion.

In this situation of inferior rank the American representative, says Mr. Tower, finds himself practically facing a disadvantage, however, which is more important than personal feeling, of comfort or sensibility. He must stand aside for every one else. Under the present circumstances the United States is always last, continues Mr. Tower, and their representative is always at the foot of the line, whether at the war office, at manoeuvres, or wherever else he is associated with his colleagues. Minister Tower lays special stress upon these points, and in conclusion says that the rank of colonel or major conferred upon Lieut. Chamberlain, as military attache, would unquestionably be a benefit, and enable him to sustain his official position, as well as to accept and return courtesies and hospitalities offered him in his representative capacity.

The war department maintains abroad more military attaches now than at any previous time in its history. At all the great capitals, and at several of the smaller ones, army officers are stationed to observe the development of modern military tactics and to gather such other information as might be useful to our own army. The present administration has added three new countries to the list, and contemplates assigning an officer to another country where the United States has never maintained one before.

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4 APR 1898
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Report thereon
to extend usual
courtesies
To Treasy 5/98
Apl 2

DIPLOMATIC,
APR 5 1898
BUREAU.

NO. 108.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 14, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Requesting customs courtesies for Mr. Gerard Lowther.

NO. 108.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 14, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Mr. Gerard A. Lowther, Secretary of British Legation and recently Chargé d' Affaires at this Court, is returning home on leave of absence and will pass en route through the United States, entering the country at Niagra Falls, N.Y., on or about the 12th of April next.

I have the honor to request that the Collector of the Port at Niagra Falls may be instructed to extend to Mr. Lowther the customary courtesies.

I ahve the honor to be,

Sir,

Your obedient servant,

A E Buck

DIPLOMATIC,
APR 28 1898
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NO. 109.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 22, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of instruction No. 86, of date February 7, 1898.

NO. 109

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 22, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge receipt of Department Instruction No. 86, of date the 7th February last, informing me that the Department finds no occasion to criticize adversely the position taken by me in my conversation with Count Okuma in relation to Hawaiian matters, as reported by me in my despatch No. 54, and more fully explained in my No. 78 of the 7th January last.

I have the honor to be,

Sir,

Your obedient servant,

W. G. Beach

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APR 28 1898
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NO. 110.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 23, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of instruction No. 90, of date the IIth February, 1898.

NO. 110.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 23, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of your instruction No. 90, of date the IIth ultimo, stating that my report on the necessity of a new system of heating for the Legation buildings, and of a fire-proof vault for the archives of the Legation had been received and referred to the appropriate Committees of Congress , with a recommendation that the necessary appropriations be granted.

I have the honor to be,

Sir,

Your obedient servant,

J. B. Buck

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28 APR 1898
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DIPLOMATIC,
APR 28 1898
BUREAU.

NO. 111.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 23, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of No. #, of date the 14th February, 1898.

NO. 111

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 23, I898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of your unnumbered instruction of date the I4th ultimo, directing me to make known to the Government of Japan the desire of the Association of Military Surgeons of the United States that the Japanese Government be represented by a delegation of medical officers of the Japanese Army at the eighth annual meeting of the Association, to be held at Kansas City, Missouri, on June I, 2, and 3, I898.

An early opportunity will be taken to communicate this information informally to H.I.J.M's. Minister for Foreign Affairs, and to explain that the proposed Congress is in no way under the auspices or patronage of the Government of the United States.

I have the honor to be,

Sir,

Your obedient servant,

Edw Buck

DIPLOMATIC,
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No. 112.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 23, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of instruction No. #, of date the 19th February, 1898.

NO. 112

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 23, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of your unnumbered instruction of date the 19th ultimo, directing me to procure replies to interrogatories relating to coinage, etc., of Japan in 1897, and send them directly to the Director of the Mint.

Application has been made to the Japanese authorities for the desired information, and on receipt will be forwarded to the Director of the Mint as called for by your instruction.

I have the honor to be,

Sir,

Your obedient servant,

J. B. Buck

DIPLOMATIC,
APR 14 1898
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2D ASSISTANT SECRETARY,
Note & file.
APR 14 1898

No. 113.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, March 24, 1898.

Honorable John Sherman,

Secretary of State,

Washington.

Sir:-

I have the honor to inform you that the general elections of members of the Lower House of the Imperial Diet took place on Tuesday, the 15th instant, resulting, according to the latest estimates, as follows:-

Pro-Government.

Liberals----------89.

National Unionists----------35.

Businessmen----------8.

Pro-Government----------1.

Total----------123.

Opposition.

Progressives----------95.

Unionists----------5.

Northeastern Unionists----------2.

Old Public Unionists----------4.

New Liberals----------3.

Political Friends Ass.----------7.

Opposition.

Total ---114.

Independent--------35.

It will be observed that the Independents or Non-Partisans will hold the balance of power in the next session of the Diet, to be convened on the 25th of May next.

The new grouping of parties is said to be satisfactory to the Cabinet ,inasmuchas with the support of its own followers and the co-operation of the Independents the Government hopes to secure the early passage of the supplementary budget, the laws necessary for putting the new codes into operation and a bill repealing the law providing for a bounty on the direct export of raw silk by Japanese subjects.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Pruit

Copy to Treasury
Dept by mail 4/29.

Hackett and
To Treas
Apl 30/98

DIPLOMATIC,
APR 29 1898
BUREAU.

No. 114.

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28 APR 1898
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LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 1, 1898.

COPIED. FOREIGN RELATIONS.

Mr. Buck

to the Secretary of State.

Subject:

Law for the encouragement of the direct export of raw silk.

Copy

Enclosure with Mr. Bucke's No. 114.

Japanese Silk Regulations

The Official Gazette of the 29th contains the following notifications:-

We hereby give sanction to the provisions regarding the inspection as well as the classification of raw silks, and the amount of encouragement funds to be granted in accordance with Law No. 48 issued in the 30th year of Meiji embodying the Regulations for the encouragement of the direct export of silk, and direct the same to be promulgated.

(Imperial Sign Manual and Great Seal.)

March 26th of the 31st year of Meiji

(Counter-signed.)

Count Inouye Kaoru,
Minister of Finance
Baron Ito Miyoji.
Minister of Agriculture and
Commerce.

Imperial Ordinance No. 51.

Art. 1. The inspection of raw silks shall be

undertaken at the Raw Silk Inspection Office with reference to the items, mentioned below:-

1 Original weight
2. Lustre
3 Re-reeling
4 Fineness
5 Nibs.

Art. 11 Silk will be held to have passed examination as to the above particulars when more than 500 catties of raw silk are found to fulfil the following provisions:- (a) Lustre and cleanness to be uniform throughout; number of breaks, not more than three; difference in fineness, 2.5 denier; number of nibs not more than 50 (b) Lustre and cleanness to be uniform; number of breaks, not more than 6; difference in fineness, 4 denier; nibs not more than 100. (c) Uniformity of lustre and cleanness; breaks not more than 9; difference in fineness, 5 denier; nibs not more than 150.

Art. 111. The amount of encouragement funds shall be calculated or determined according to the following classification, fractions of a catty being excluded from the calculation:-

For every 100 catties of raw silk qualified in respect of qualities specified in (a) ----- Yen 50

For every 100 catties of raw silk qualified in accordance with (b) yen 30.

For every 100 catties of silk qualified in conformity with (c) ——— yen 20.

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No. #

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April I, 1898.

Ack'd, and one copy of each enclosure sent to Treas. Library, and Bur. of Fr. Com. May 4/98 C.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to transmit herewith three copies (under separate cover) each of the monthly return of the foreign trade of the Empire of Japan for January and February, 1898, issued by the Department of Finance of the Japanese Government.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosure:

Trade reports as noted.

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APR 29 1898
BUREAU

2D ASSISTANT SECRETARY,
DIPLOMATIC BUREAU.
APR 28 1898

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SEC'Y OF STATE

NO. 115.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 2, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Convening of the Imperial Diet.

NO. 115.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 2, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to inform you that it is announced in the Official Gazette of to-day that the next session of the Imperial Diet will be convened in Tokyo on the 14th of May, next, the length of the session to be twenty-one days.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
MAY 6 1898
BUREAU

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DIPLOMATIC BUREAU.

Asked by subpoena

Acted May 1898

No. 116.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, 1898.

Mr. Buck

to the Secretary of State.

Subject:

The evacuation of Wei-hai-wei by Japan and its lease by England proposed.

No. 116.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, I898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to inform you that on the 2nd instant the Japanese Cabinet, at a special meeting, decided to evacuate Wei-hai-wei upon the payment of the ballance of the war indemnity due her from China in May.

This step was atken, I am informed, upon the suggestion of Great Britain, who is, upon the evacuation of the port by Japan, to assume control of it as a military station.

The withdrawal of Japan from the mainland of China will be severely criticized by the opposition in the next session of the Diet, to meet on May I4th, next; but it is not generally supposed that the opposition will be able to muster sufficient force to embarrass the Government.

The real reasons for Japan's surrender of the stronghold are undoubtedly her need of the ballance of the indemnity to strengthen her finances and to pay the costs of her largely increased naval and military armaments.

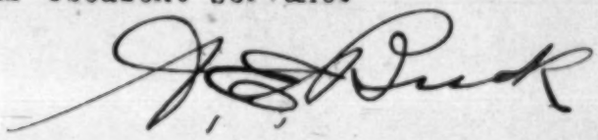
Had she been financially in a sound condition, I have no doubt

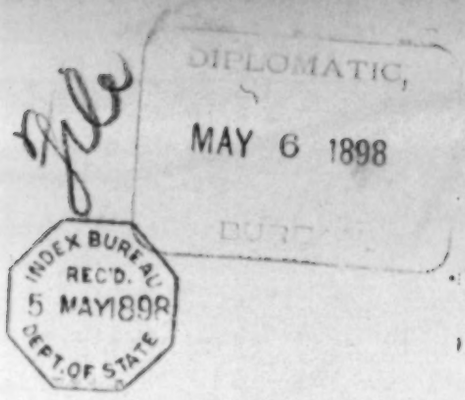
doubt she would have foregone the indemnity and asked from China a cession or lease of Wei-hai-wei, in view of the changed conditions in the affairs of the East caused by Russia and Germany's acquisitions.

I have the honor to be,

Sir,

Your obedient servant.





No. 117.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, 1898

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Sherman's Instruction No. 95, enclosing papers from the New York Association of Sewing Schools.

No. 117.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, I898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

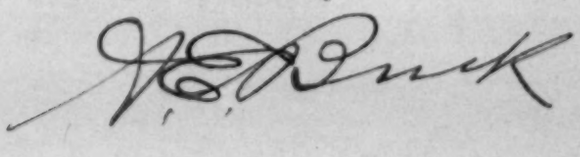
I have the honor to acknowledgetthe receipt of your Instruction No.95, of date March I5th I898, enclosing for transmission to the Japanese Government copy of a memorandum entitled "Foreign Exhibits", and of a printed copy of the "Annual Report of the New York Association of Sewing Schools".

I shall not fail to forward these documents to the Japanese Minister for Education, with an expression of the high appreciation of the Association of Sewing Schools of Japan's contribution to the exhibition.

I have the honor to be,

Sir,

Your obedient servant,



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MAY 6 1898
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5 MAY 1898
DEPT. OF STATE

No. 118.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 11, 1898.

Mr. Buck

to the Secretary of State.

Subject:— Acknowledging Mr. Sherman's Instruction No. 97, in re the impossibility of appointing a naval attaché to this Legation, at present.

No. 118.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, I898.

To the Hohorable John Sherman,

Secretary of State,

Washington, D.C.

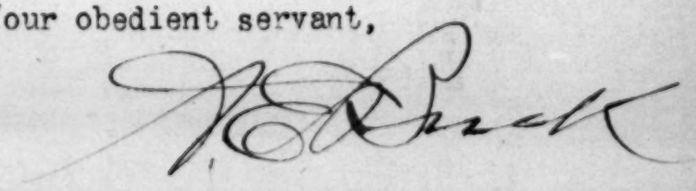
Sir:

I have the honor to acknowledge the receipt of your Instruction No.97, of date March I5th I898, relative to the appointment of a Naval Attaché to this Legation; and note the conclusion of the Secretary of the Navy that, while concurring in my recommendations, he regrets that at the present time there is no officer available for detail to such duty.

I have the honor to be,

Sir,

Your obedient servant,



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5 MAY 1898
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No. 119.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 11, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction No. 98.

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5 MAY 1898
DEPT. OF STATE

No. 119.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 11, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging receipt of instruction No. 98.

No. 119.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 11, 1898.

Honorable John Sherman,

Secretary of State,

Washington.

Sir:-

I have the honor to acknowledge the receipt of your instruction No. 98, of date March 17, 1898, enclosing copy of a letter from Doctor Louis Otoffy, in which he acknowledges the receipt of the information contained in my recent despatch on the subject of dental schools in Japan.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
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5 MAY 1898
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No. 120.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 11, 1898.

Mr. Buck

to the Secretary of State.

Subject.

Acknowledging instruction enclosing letter from Librarian of Congress

No. 120.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 11, 1898.

Honorable John Sherman,

Secretary of State,

Washington

Sir:-

I have the honor to acknowledge the receipt of your instruction (unnumbered) of date March 16, 1898, enclosing a letter from the Librarian of Congress, in which my cooperation in the development of the Library of Congress is solicited.

I shall be pleased to give to Mr. Young all possible assistance in the manner indicated by him.

I have the honor to be,

Sir,

Your obedient servant,

Alvey A. Adee







NO. 121

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, 1898.

Rec'd May 11.
Bacheo informed of increase May 14. 1898.

Mr. Buck,

to the Secretary of State.

Subject.

Requisition for extra allowance for repairs.







NO. 121

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, 1898.

Rec'd May 11.
Bowers informed of increase May 14. 1898.

Mr. Buck,

to the Secretary of State.

Subject.

Requisition for extra allowance for repairs.

NO. 121

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April II, I898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my despatch No. 63, of date December 8th, last, relating to expenditures for additional repairs to the Legation made necessary in consequence of the typhoon in September last, including a part of the $400 allowed for repairs by instruction of the Department of date August I7th, last, and also stating that by paying something out of the Contingent fund in addition to that allowance I could probably meet the immediate and necessary expenses for repairs, I have the honor to state that I had to expend the sum of $94.45 from the Contingent fund to meet the balance of expenses for repairs as is shown by my statement of that account rendered with my unnumbered despatch of January 7th, last.

In consequence of the increased contingent expenses , by reason of the rise in price of all kinds of labor and supplies including electric light, telephone, printing, wages of messengers and native writer, and the doubling of the postage rates, I find that I cannot meet the demand upon the contingent fund for this fiscal year, having already expended $I68.80 more than the allowance for the three quarters of the year already passed, as shown by my last quarterly account now rendered.

As the fixed charges upon the contingent fund will more

than absorb the amount standing to my credit for the current and last quarter of this fiscal year, I respectfully submit the necessity of additional allowance of $200 out of the fund appropriated "to keep in repair the Legation and Consular "premises owned by the United States and occupied by its a-"gents", by Act of Congress approved February 20, 1897, and ask that, if approved by the Department, I may be authorized to draw for or such part as may be available that amount. That sum will enable me to pay into the Contingent fund the amount of $94.45 taken from that fund for repairs and to procure a new topstaff for the flagpole, together with other necessary minor repairs.

I have the honor to be,

Sir,

Your obedient servant,

F. E. Buck

Let Mr. Smith & Mr. Brannigan arrange it thus.
aaa

3rd. ASST. SECRETARY
MAY 7 1898

Dear Adee:

There is no way by which we can pay these expenses except from the Emergency fund, which I do not care to touch for this particular purpose, or increase his contingent fund. It is now $2,000.

I suggest that for the quarter ending June 30. 1898, his contingent expenses be increased by two hundred and fifty dollars; so that the beginning of the approaching fiscal year

conditions than as I suggest.

his total permanent increase of contingent allowance after April 1 1898 will be $250. and his annual contingent allowance for 1898-99 $2.250 instead of $2000-

I gather from reading his despatch that he will expect and require a slight increase judging from his present statements and I know of no better way to meet both conditions than as I suggest.

If you approve of this
Mr Smith and Mr Branagan
can arrange it.

Yours
Ridley

Mr Banagan.

How much remains unexpended of the Special fund to which Mr Rusk refers—

Adler

all gone.

F.A.B.

DIPLOMATIC,
MAY 6 1898
BUREAU.

INDEX BUREAU
REC'D.
5 MAY 1898
DEPT. OF STATE

1 Copy to Mr. Ewing
1 " to Library of Congress.
1 " to Bur. For. Com
1 " " Treas
" " Library of Congress
May 9/98 C

NO. 121.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 12, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Transmitting 3 copies of annual returns of the foreign trade of Japan for 1897.

NO. 122.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 12, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to transmit herewith, under separate cover, three copies of the annual returns of the foreign trade of Japan for 1897, issued by the Finance Department of the Imperial Government.

I have the honor tobe,

Sir,

Your obedient servant,

A. E. Buck

Enclosures:

3 copies of trade returns as noted.

NO. 122.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 12, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to transmit herewith, under separate cover, three copies of the annual returns of the foreign trade of Japan for 1897, issued by the Finance Department of the Imperial Government.

I have the honor tobe,

Sir,

Your obedient servant,

A. E. Buck

Enclosures:

3 copies of trade returns as noted.

DIPLOMATIC,
MAY 7 1898
BUREAU.

DIPLOMATIC BUREAU
DIPLOMATIC BUREAU.

No. 123.

INDEX BUREAU
REC'D.
5 MAY 1898
DEPT. OF STATE

Ask for and go to Lt. Col. L. D. Griffith, Pres't of Military Surgeons of the U.S. May 12/98

LEGATION OF THE UNITED STATES,
Tokyo, Japan, April 12, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Reporting reply of Japanese Government to invitation of the Association of Military Surgeons of the United States.

NO. 123.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April I2, I898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

Referring to your unnumbered despatch of date the I4th February last, instructing me to make known to the Government of Japan the desire of the Association of Military Surgeons of the United States that this Government be represented by a delegation of medical officers of the Japanese army at the eighth annual meeting of the Association, to be held at Kansas City, Missouri, on June I-3, I898, I have the honor to state that the substance of the despatch under reply was communicated to the Minister of Foreign Affairs in an unsigned memorandum, in reply to which I am informed by Baron Nissi that while greatly appreciating the good-will with which the said Association extended such invitation to the Imperial Government, he regrets the present circumstances do not allow them to despatch the desired delegation, and asking me to communicate the same to my Government.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
MAY 23 1898
BUREAU.

No. 124

2D ASSISTANT SECRETARY,
Treasury.
Ack.
MAY 23 1898

INDEX BUREAU
REC'D.
21 MAY 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 22, 1898.

Ack'd June 1/98 F to Treas May 24/98 C.

Mr. Buck

to the Secretary of State.

Subject:

Mr. Herod departure for the United States. Customs courtesies requested.

No. 124.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 22, 1898.

Honorable John Sherman,

Secretary of State,

Wasnington.

Sir:-

I have the honor to inform you that Mr. Joseph R. Herod, Secretary of this Legation, availing himself of the leave of absence recently granted him by the Department, will leave for America on May 11th by the Pacific Mail S. S. "China" due to arrive at San Francisco on or about the 28th of May.

I have the honor to request that the customs authorities at San Francisco may be instructed to admit free of duty the personal effects of Mr. Herod and of his family who accompany him on his return.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

ASSISTANT SECRETARY

APR 24 1898

TELEGRAM RECEIVED.

DIPLOMATIC,

From

APR 25 1898

BUREAU.

14 Oct

Tokio

Apl 24, 1898.

Received 10²⁰ A M.

German

Washington.

Confirm yesterday's Apl 26

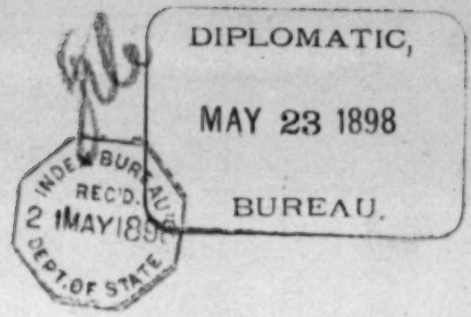
our two Telegrams of twenty

cond received and reported

Minister Foreign Affairs

Buck





No.125.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 25, 1898.

Mr.Buck

to the Secretary of State.

Subject:

Confirming Mr.Sherman's telegraphic instructions of date April 22nd, 1898, and Mr.Buck's replying telegram of date April 24th, 1898.

No. 125.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 25, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to confirm on the overleaf your telegraphic instructions of date the 22d instant, and my telegram of of date the 24th instant in reply.

These instructions were received at 9 and 11 o'clock respectively on Saturday evening, the 23d. The following morning a note (copy of which is enclosed herewith) giving their substance, was handed to the Minister for Foreign Affairs in person by Mr. Wilson, Second Secretary of this Legation.

I have the honor to be,

Sir,

Your obedient servant,

A. C. Buck

Enclosure:

Copy of Note No. 62, of date April 24th, 1898, as above.

Telegraphic Instructions received.

(Received 9 P.M.) Washington, April 22, I898, II:55 P

"Buck,

"American Legation, Tokyo.

"In event of hostilities between United States and "Spain the policy of this Government will be not to resort t "privateering, but to adhere to the following recognized rul "of international law;—First. The neutral flag covers ene "goods, with the exception of contraband of war. Second. Ne "tral goods, with the exception of contraband of war, are not "liable to capture under an enemy's flag. And third. Block "ade, in order to be binding, must be effective.

"Sherman"

(Received II P.M.) Washington, April 22, I898, I0:4

"Buck, American legation, Tokyo.

"By Proclamation today under Resolution of Congress "ed twentieth, President approved blockade of ports on nort "side of Cuba between Cardenas and Bahia Honda; also Cienfu "gos south side. Notify Minister for Foreign Affairs.

"Sherman"

Mr.Buck to the Secretary of State, sent April 24th,I898.

"Sherman, Washington.

"Your two telegrams of twenty-second received and "reported Minister Foreign Affairs.

"Buck"

Enclosure with Mr. Buck's No 125, of April 25th, 1898.

No.62. (Copy)

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 23, 1898.

His Excellency

Baron Nissi Tocziro,

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

Being in receipt of telegraphic instructions from my Government, I have the honor to inform Your Excellency that on the 22nd instant, under a Resolution of Congress approved the 20th instant, the President approved by Proclamation the blockade of the ports on the north coast of Cuba between Cardenas and Bahia Honda; and also of Cienfuegos on the south coast.

In the event of hostilities between the United States and Spain, the policy of the Government of the United States will be not to resort to privateering, but to adhere to the following recognized rules of international law:

First. The neutral flag covers enemy's goods, with the exception of contraband of war.

Second. Neutral goods, excepting contraband of war, are not liable to capture under an enemy's flag.

Third. Blockade, in order to be binding, must be effective.

I avail etc.

(Signed) A.E.Buck.

Index.

DIPLOMATIC, APR 30 1898 H. BUREAU.

TELEGRAM RECEIVED IN CIPHER.

D ASSISTANT SECRETARY, BY
ed Letters to
tary of the Navy -
tary of the Treasury -
ttorney General -
APR 30 1898

From TOKIO, April 29, 1898. 6:50 P.M.

Confirm Dispatch May 3.

Sherman,

Washington.

Instructions by cable April 26th were received and communicated direct to Japanese Government at once. Proclamation of neutrality promised is to be promulgated in a few days.

B U C K.

by

, 189 , M.

126

No. 128.

2D ASSISTANT SECRETARY,
Routine.
MAY 23 1898

DIPLOMATIC BUREAU.
DIPLOMATIC,
MAY 23 1898
BUREAU.

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DEPT. OF STATE

LEGATION OF THE UNITED STATES

Tokio, Japan, April 29, 1898.

RECEIVED.
BUR. ACCOUNTS. DEP. OF STATE.
MAY 23 1898

Honorable John Sherman,
Secretary of State,
Washington, D.C.

Sir:-

I have the honor to enclose herewith statement of account for rent of Legation grounds at Tokio, Japan, from April 24, 1897, to December 31, 1897, inclusive.

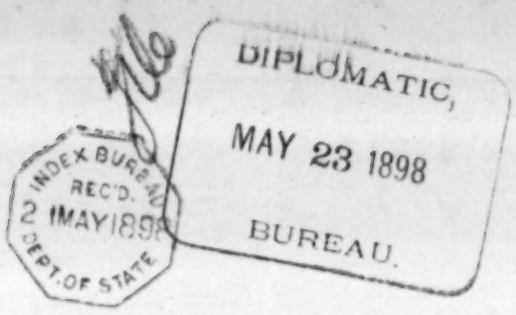
This payment is made for the remainder of the calendar year at the request of the Japanese Government in order that payments may be made hereafter on January 1st. of each year for the preceding calendar year.

I have the honor to be
Sir,
Your obedient servant,

Alex. Buck

T.M.

Enclosure. Statement of account as above.



No. 127.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Confirming Mr. Sherman's telegraphic instruction of date April 26th, 1898.

No. 127.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, I898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to confirm on the overleaf your telegraphic instruction of date the 26th instant, informing me that Congress, by an Act approved on that day, declared that a state of war exists between the United States and Spain since and including April 2Ist, I898; and directing me to communicate the facts to the Japanese Government, which I did on the morning of the 27th instant, in a note addressed to Baron Nissi, H.I.J.M's.Minister for Foreign Affairs, copy of which is enclosed herewith.

I have the honor to be,

Sir,

Your obedient servant,

J. E. Buck

Enclosure:

Copy of Mr.Buck's Note No.65, of date April 27th, I898.

Teleram received.

Washington, April 26, 1898.

"Buck, Minister, Tokyo.

"A Joint Resolution of Congress approved April twentieth
"directed intervention for the pacification and independence
"of the Island of Cuba. The Spanish Government of April twen-
"ty-one informed our Minister at Madrid that it considered
"this Resolution equivalent to a declaration of war, and that
"it had accordingly withdrawn its Minister from Washington an
"terminated all diplomatic relations. Congress has, therefor
"by an Act approved today, declared that a state of war exist
"between the two countries since and including April twenty-
"one. You will inform the Government to which you are accred
"ited so that its neutrality may be assured in the existing
"war.

"Sherman"

Enclosure with Mr Buck's No 127 of date April 29th 1898.

No.65 (Copy)

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 27, 1898.

His Excellency

Baron Nissi Tocziro :

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

I am instructed to inform Your Excellency's Government that a Joint Resolution of Congress, approved April 20th, having directed intervention for the pacification and independence of the Island of Cuba, the Spanish Government on April 21st informed our Minister at Madrid that it considered this Resolution equivalent to a declaration of war, and had accordingly withdrawn its Minister from Washington and terminated all diplomatic relations between the two countries; and that Congress has, therefore, by an Act approved the 26th instant, declared that a state of war exists between the two countries since and including April 21st, 1898.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) A.E.Buck.

DIPLOMATIC,
MAY 23 1898
BUREAU.

2D ASSISTANT SECRETARY,
Ack. by Number and File.
MAY 23 1898

X BUREAU
REC'D.
2 1MAY1898
DEPT. OF STATE

No. 128.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Proclamation of Neutrality to be issued in a few days. Giving reading of Mr. Buck's telegram of April 29th, on that subject.

No. 128.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that on receiving your telegraphic instruction of date the 26th instant, on the 27th I had a personal interview with the Minister for Foreign Affairs, and on the following day with Marquis Ito, Minister President of State, by both of whom I was assured that a Proclamation of Neutrality would be issued— Marquis Ito stating that it was then in the course of preparation. Owing to the lack of a suitable precedent in the archives of the Foreign Office, the preparation of this proclamation in due form takes longer than would otherwise be the case. This fact accounts for the present delay. I am assured that the proclamation will be promulgated within the next few days.

Judging from the comments of the Japanese press upon the war between the United States and Spain, public opinion in this country seems to be in sympathy with the United States rather than Spain.

I have the honor to append on the overleaf the reading of a telegram which I have sent to you this morning, acknowledging

ing

Telegram sent.

Tokyo, April 29, 1898.

"Sherman, Washington.

"Instructions by cable April twenty-six were received and
"communicated direct to Japanese Government at once. Procla-
"mation of Neutrality promised is to be promulgated in a few
"days.

"Buck"

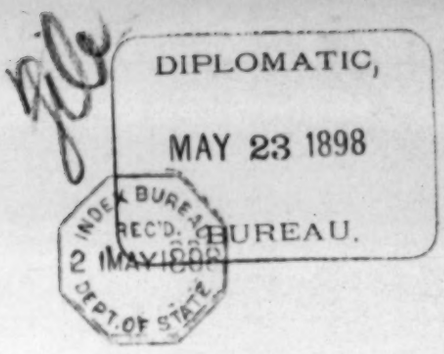
ing the receipt of your telegraphic instruction of date the 26th instant.

I have the honor to be,

Sir,

Your obedient servant,

W. E. Buck



No. 129.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Sherman's Instruction No. 99, of date March 21st, 1898.

No.129.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.99, of date the 21st ultimo, enclosing two copies of Senate Document No.93, 55th Congress, 2nd Session, parts 1, 2, and 3, containing the correspondence relating to the killing of Frank Epps, U.S.N., of the flagship OLYMPIA, at Nagasaki in December last.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
MAY 23 1898
BUREAU.

No. 130.

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REC'D.
2 MAY 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

To Hon. C. H. Davis
" R. R. Hitt.
May 26.

Ackd
May 31/98

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Sherman's Instruction No. 96, of date March 15th, 1898, and giving estimates of the cost of erecting new legation buildings, etc.

No. 130.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, April 29, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of your Instruction No.96 of March 15th last, in respect to the construction of a new Legation building, directing me "to send to the Department at as early a date as practicable, a detailed estimate of the cost of a suitable new Legation building to be erected upon the site of the present one" and "also to give a statement of the total cost of each of the buildings specially erected or remodeled for legation purpoese by each of the other powers represented at Tokyo."

To furnish an accurate estimate in detail of each of the buildings necessary to meet the requirements of the Legation, including Minister's residence, Secretaries' houses, Interpreter's house, offices, stable, servants' quarters, gate-lodge and gate, surrounding wall of brick or other material, with the necessary improvement of the lot by grading etc., to compare favorably with the legation buildings of other powers here, I am able to do only approximately, but with sufficient

accuracy

accuracy, perhaps, to meet the requirements of the Department at this time, as follows:

Main building including heating and lighting apparatus	$45,000.
First Secretary's house	6,000.
Second Secretary's house	4,000.
Interpreter's house	4,000.
Office building including fire-proof vault	5,500.
Servants' quarters	3,000.
Stables	2,000.
Gate and gate-lodge	500.
Boundary wall and grading and improving grounds	10,000.
Total U.S.Gold	80,000.

There will be little or no difference in the cost of the buildings whether constructed of brick or wood, as the price of lumber here is about double what it is in the United States. Brick buildings constructed with reference to incidental earthquakes are preferable, being subject to less damage from fire and not requiring so frequent repairs in this moist climate as wood.

The cost of building now is some 40%, at least, more than a few years ago, when most of the legation buildings of other nations were built.

The cost of legation buildings of other powers with improvements are as follows:

British Legatiom. Main legation building, offices, First Secretary's house, Second Secretary's house, Interpreter's house, stables for Minister, stables for staff, servants' quarters, gate-keeper's lodge, brick boundary wall—all brick with

stone

stone trimmings—$85,000 gold.

Russian Legation. Main legation building, First Secretary's house, Second Secretary's house, Interpreter's house, offices, stables, servants' quarters, boundary wall of tile and cement—all brick covered with cement in imitation of stone, cost about $I00,000 gold.

German Legation. Main legation building, First Secretary's house, Interpreter and Student Interpreters' house, Writer's house, offices, stables, servants' quarters, gate-keeper's lodge, brick boundary wall—all brick with stone trimmings cost $75,000 gold.

Austrian Legation. Main legation building, Interpreter's house, offices, servants' quarters, stables, gate-keeper's lodge, brick boundary wall—all brick with stone trimmings cost $60,000 gold.

Italian Legation. Main Legation building, very inferior, old out-building used as an office and house for Interpreter and servants' quarters (legation has no Secretary),—all wooden. Main building $I5,000 gold. The main building has recently been repaired at a cost of about $5,000 gold. Total value of main building estimated at $I5,000 gold. It was originally a poor structure and was badly damaged by earthquake in I894.

French Legation. Main legation building with offices attached, First Secretary's house, Second Secretary's house, (uninhabitable), Interpreter's house, stables, servants' quarters, wooden boundary fence—all of wood and plaster. Value of main building estimated at $15,000 gold. The French purchased this property from a Japanese by whom the buildings had been erected. The main building has recently been repaired at a cost of about $7,000 gold. All the other buildings are reported

reported

reported to be in a depapitated condition and almost uninhabitable.

I have the honor to be,

Sir,

Your obedient servant,

N. S. Buck

DIPLOMATIC,
MAY 23 1898
BUREAU.

No. 131.

2D ASSISTANT SECRETARY,
Ack & file - acd
MAY 23 1898

INDEX BUREAU
REC'D.
2 1 MAY 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES

Tokio, Japan, April 30, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Resignation of Baron Miyoji Ito, H. I. J. M's Minister for Agriculture and Commerce and appointment of Mr. Kentaro Kaneko to succeed him, also other probable changes in the Cabinet to occur soon.

No. 131

LEGATION OF THE UNITED STATES

Tokio, Japan, April 3rd, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:-

I have the honor to report that Baron Miyoji Ito, H.I.J.M's Minister for Agriculture and Commerce, resigned from the Cabinet on April 26th, and that on the same day Mr. Kentaro Kaneko was appointed to succeed him.

Other changes in the Government seem to be quite probable to occur soon, because of the increasing dissatisfaction manifested in respect to the foreign policy of the Cabinet in particular, and its conduct of internal affairs in general.

Up to a few weeks ago it seemed that the Government would have sufficient strength to command the support of the majority of the lower house of the new Diet, but as the time for the assembling of the Diet, which is May 14th, draws near, the opposition elements seem to be consolidating for the purpose of overthrowing it, with some prospect of success.

I have the honor to be

Sir,

Your obedient servant,

A. E. Buck

TELEGRAM RECEIVED.

Tokio, May 2, 1898.

To Treasury
Navy. Justice
May 2

Chief. May 3

HERMAN,

Washington.

Proclamation of neutrality dated April 30th, announced officially by Japan this morning May second.

BUCK.

ciphered by Chief Clerk.

DIPLOMATIC,
MAY 5 1898
BUREAU.

Telegram received in cipher.

Tokio, May 4, 1898.

Received 9:04 A.M.

Sherman,

Washington.

May third. Minister for Foreign affairs of Japan requests me to inform you Government of Japan is to send three war vessels to Philippine Islands to observe naval operations and to protect Japanese subjects.

Buck.

Deciphered by Michael, Chief Clerk,

9:10 A.M., May 4, 1898.

Printed in Advance Sheets
May 31 No. 128

No. 132.

DIPLOMATIC,
MAY 31 1898
BUREAU.

2D ASSISTANT SECRETARY,
Mr. Thorn will print soon - usual distribution
Sending Mr. Buck 3 copies -
MAY 26 1898

INDEX BUREAU
REC'D.
26 MAY 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 5, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Transmitting translation of Japan's Proclamation of Neutrality. Also, giving reading of telegram of date May 2nd.

No. 132.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 5, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington:

Sir:

Referring to my Dispatch No.128 of the 29th ultimo and to my telegram of the 2nd instant, reading of which is appended on the overleaf, regarding Japan's neutrality, I have the honor to enclose herewith duplicate clippings from the Japan Times of the 3d instant, being a translation of the Imperial Rescript and Ordinances dated April 30th, which comprised the Proclamation of Neutrality officially announced on the 2nd instant. The accuracy of this translation has been verified at the Legation.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosure:

Duplicate clippings from Japan Times of May 3d, being translation of Japan's Proclamation of Neutrality, as above.

Reading of telegram sent.

Tokyo, May 2, 1898.

"Sherman, Washington.

"Proclamation of Neutrality dated April thirtieth announced officially by Japan this morning. May second.

"Buck"

Enclosure with Mr Buck's No 132, of date May 5th, 1898.

Imperial Rescript.

War having unfortunately broken out between the United States of America and Spain, and being desirous of maintaining the amicable and friendly relations existing between this Empire and the belligerent Powers, we hereby order the promulgation of Regulations relating to Neutrality. Our subjects and other persons resident within the dominions of the Empire shall observe the obligations of a strict neutrality in conformity with the general principles of International Law and the provisions of the Regulations herewith promulgated. Any person failing to observe these obligations, shall not only forfeit the protection of this Empire against the proceedings of one or the other of the belligerent Powers, but also be liable to prosecution at the Imperial Courts of Law in accordance with the provisions of the law.

[Imperial Sign-Manual.]

[Privy Seal.]

April 30, 1898.

(Counter signed.)

Marquis Hirobumi Ito,
Minister President of State.

Marquis Tsukumichi Saigo,
Minister of the Navy.

Count Kaoru Inouye,
Minister of Finance.

Viscount Akimasa Yoshikawa,
Minister of Home Affairs.

Baron Tokujiro Nishi,
Minister of Foreign Affairs.

Viscount Taro Katsura,
Minister of War.

Arasuke Sone,
Minister of Justice.

Baron Kencho Suyematsu,
Minister of Communications.

Kentaro Kaneko,
Minister of Agriculture and Commerce.

Kazumasu Toyama,
Minister of Education.

Imperial Ordinance.

We hereby sanction the present Ordinance, relating to the ~~Regulation of the~~ conduct of our subjects and the foreigners resident within our dominions, during the continuance of hostilities between the United States of America and Spain, and order it to be promulgated.

[Imperial Sign-Manual.]

[Privy Seal.]

April 30, 1898.

(Counter Signed.)

Marquis Hirobumi Ito,
Minister President of State.

Viscount Akimasa Yoshikawa
Minister of Home Affairs.

Baron Tokujiro Nishi,
Minister of Foreign Affairs.

Arasuke Sone,
Minister of Justice.

Imperial Ordinance.

No. LXXXVI.

~~During the continuance of~~ the present war between the United States of America and Spain, the Japanese subjects and the citizens of foreign Powers resident within the dominions of the Empire, are not permitted to commit any of the acts specified below :—

1.—The obtaining from one or the other of the belligerent Powers ~~a grant~~ or commission for capturing merchantmen by means of privateers.

2.—The accepting service in the army or navy or engaging in any military ~~business~~, of one or the other of the belligerent Powers or accepting commission for service on board a vessel used for warlike purposes or privateers belonging to one or the other of the belligerent Powers.

3.—The making contracts with, or sending other individuals out of the dominions of the Empire, with the object of enabling the said individuals to enter upon the Military or Naval service of one or the other of the belligerent Powers, or for the purpose of enabling them to ~~serve~~, or accept ~~the invitation~~ to serve, on board ships used for warlike purposes or privateers.

4.—The selling, purchasing, chartering, arming, or equipping, ships with the object of supplying them to one or the other of the belligerent Powers for use in war or privateering; the assisting such sale, purchase, chartering, arming or equipping.

5.—The supplying arms, ammunition, or other materials of direct use in fighting to the men-of-war, other ships used for warlike purposes, or privateers, belonging to one or the other of the belligerent Powers. The present Ordinance shall take effect from the day of its promulgation.

Imperial Ordinance.

We hereby give our sanction to the present Ordinance relating to the control of the warships or other vessels connected with the warlike operations during the continuation of hostilities between the United States of America and Spain, and which are found in the territorial waters of the Empire, and order the same to be promulgated.

[Imperial Sign Manual].

[Privy Seal].

April 30, 1898.

(Countersigned).

Marquis Hirobumi Ito,
Minister president of State.

Marqu's Tsukumichi Saigo,
Minister of the Navy.

Viscount Akimasa Yoshikawa,
Minister of Home Affairs.

Baron Tokujiro Nishi,
Minister of Foreign Affairs.

Imperial Ordinance.

No. LXXXVII.

Such men of war and such other ships used for warlike purposes in connection with the present war between the United States of America and Spain, as may happen to be in the territorial waters of the Empire, shall be regulated in accordance with the rules mentioned below:—

1.—No privateer shall be allowed to come within the territorial waters of the Empire. In case, however, when it is compelled to enter such territorial waters on account of unavoidable circumstances, such as stress of weather, destitution of articles indispensable to navigation, or disablement, it should leave the territorial waters as soon as such circumstance shall have ceased to exist.

2.—No man-of-war or other ship belonging to one or the other of the belligerent Powers, shall be permitted to commit any act of war, or visit, search, or capture merchantmen, within the territorial waters of the Empire. Neither shall such man of war or such other ship be allowed to make use of any portion of the territorial waters of the Empire as the basis or headquarters of naval operations, or for any other warlike purposes whatever.

3.—The men-of-war and other ships used for warlike purposes, belonging to one or the other of the belligerent Powers, may enter any of the ports that are open to all ships for ordinary purposes of navigation, but should not stay in the waters of such port longer than twenty-four hours. In case when such men of war or such other ships used for warlike purposes have been compelled to seek the waters of such port on account of unavoidable circumstances such as stress of weather, destitution of articles necessary for navigation, or disablement and are unable to quit the port within twenty-four hours, they should leave the territorial waters of the Empire as soon as such circumstance or circumstances shall have ceased to exist.

4.—No man-of-war or other ships used for warlike purposes, belonging to one or the other of the belligerent Powers, shall be permitted to take any captured vessel into the territorial waters of the Empire, except under stress of weather, or on account of destitution of articles necessary for navigation, or of disablement. In the last mentioned case, it is not permissible under whatever pretext to land any prisoner of war, or to dispose of the captured vessel or articles.

5.—No man-of-war or other ship employed for warlike purposes, belonging to one or the other of the belligerent Powers, shall be permitted either to recruit its crew or get supplies of arms, ammunition or any other material of direct use in fighting, within the dominions of the Empire. Neither shall such man-of-war or such other ships employed for purposes of warfare, be permitted under whatever circumstances to receive repairs within the dominions of the Empire, beyond what shall suffice to enable it to get back to to the nearest port of its own country.

6.—The men-of-war and other ships used for warlike purposes, belonging to one or the other of the belligerent Powers, may get, in the ports of the Empire, supplies of articles necessary for their crews, coal and other things indispensable to navigation, as well as of materials needed for repairs; but the quantity of such supplies should never exceed that which will be necessary for the purpose of taking such men of war and such other ships to the nearest port of their own country. Any of such men-of-war or such other ships, which has once obtained a supply of coal, shall not be permitted to get another supply until after the lapse of three full months.

7.—When the men-of-war, or other ships used for warlike purposes, or privateers, of both belligerent Powers happen to be simultaneously in the same port in the dominions of the Empire, the ships of one Power shall not be allowed to leave the port, until twenty-four hours shall have elapsed after the departure of those of the other Power, and unless under the directions of the Japanese naval Commander in port or the chief ~~Japanese~~ local ~~functionary~~. The present Ordinance shall come in force from the day of its promulgation.

No. 133.

INDEX BUREAU
REC'D.
2 JUN 1898
DEPT. OF STATE

DIPLOMATIC,
JUN 3 1898
BUREAU.

Ackd June 8/98

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 5, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Transmitting unsealed cover addressed to the Assistant Secretary of Agriculture; also two packages of soil.

No. 133.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 5, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith an unsealed cover addressed to the Hon. J.H. Brigham, Assistant Secretary of Agriculture, in reply to a communication from him of date April 9th, desiring me to forward for experimental purposes samples of soil from a soy bean field; and to request that it be forwarded to him together with the desired samples, which are sent herewith.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Dun

ready forwarded
Agriculture Dept
ter also forwarded.

DIPLOMATIC,
JUN 6 1898
BUREAU.

No. 134.

INDEX BUREAU
REC'D.
2 JUN 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Asked and
Toronto Dept.
June 7/98
C.

Mr. Buck

to the Secretary of State.

Subject:

Correspondence with Commodore Dewey, Commanding U.S. Naval Force on Asiatic Station, regarding possibility of getting coal etc. at Japanese ports.

No. 134.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that on the 3d ultimo I received the following telegram from Commodore Dewey, Commanding the United States Naval Force on the Asiatic Station (reading): "Am informed in case of war with Spain Japanese ports "can be used by this squadron as base for supplies and coal. "Is this correct? Dewey."

The following morning, having had an interview at the Foreign Office as to what would be the attitude of the Japanese Government in the event of war between the United States and Spain, I learned that it would be one of strict neutrality. Thus it would be impossible for either belligerent to make use of a Japanese port as a base for supplies and coal, although either might perhaps be obtained under certain special circumstances, the matter being somewhat unsettled in international law, and some latitude of decision being allowed the neutral power.

I accordingly, on that day sent Commodore Dewey a telegram, reading as follows:- "Dewey, Hongkong. Ports cannot be

"used

'used as base for supplies and coal. Ships homeward bound 'could get them. Japan would concede nothing beyond strict 'neutrality. Buck." I also sent him a dispatch of date the 4th ultimo, copy of which is enclosed, giving more fully the information upon the subject obtained at the Foreign Office.

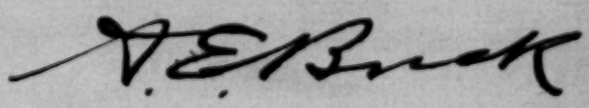
Yesterday, in view of Section 6 of Imperial Ordinance No.87, which forms part of the Japanese Proclamation of Neutrality, translation of which accompanied my Dispatch No.I32, of the 5th instant, I telegraphed Commodore Dewey as follows (reading):- "Commodore Dewey, Hongkong. Under Japan's Proc- 'lamation of Neutrality you may take coal sufficient to reach 'nearest United States port once every three months. Buck"

Today I enclosed to Commodore Dewey, in a dispatch copy of which forms Enclosure No.2 herewith, a translation of Japan's Proclamation of Neutrality, calling attention to the substance of Section No.6 above referred to, and to the fact that the clause limiting the quantity of coal and other supplies to be taken by a vessel to an amount sufficient to enable the vessel to reach the nearest port of its own country is apparently to be interpreted as limiting the quantity of such supplies, not as necessarily involving that they be used for a voyage home, though implying that.

I have the honor to be,

Sir

Your obedient servant,



Enclosures:

No.I. Mr.Buck to Commodore Dewey, of April 4th I898, copy.

No.2. Mr.Buck to Commodore Dewey, of May I0th I898, copy.

Enclosure No 1, with Mr Buck's No 134, of date May 16th, 1898.

No.95. (Copy)

LEGATION OF THE UNITED STATES,

Tokyo Japan, April 4, 1898.

Commodore George Dewey, U.S.N.,
Commanding U.S.Naval Squadron
on the Asiatic Station,
Hongkong, China.

Sir:

I beg to acknowledge the receipt of your telegraphic dispatch of date the 3d instant which reads as follows:- "Am informed in case of war with Spain Japanese ports can be used "by this squadron as base for supplies and coal. Is this correct? Dewey".

This morning I learned from the Foreign Office the position Japan would take in event of war of the United States with Spain and have despatched you by wire as follows;- "Dewey Hongkong. Ports cannot be used as base for supplies and coal. "Ships homeward bound could get them. Japan would concede no-"thing beyond strict neutrality. Buck."

I understand that no intimation has been given by Japan inplying any different attitude to be assumed in event of such war.

While by international law some latitude is given a neutral power in impartially permitting ships of nations at war to obtain coal and other supplies from her ports, yet it seems to be well settled that no neutral power can permit the ships of either of the contending powers, with which she is at peace to make use of her ports as a base of supplies for war purpose

I

I understand that by "strict neutrality" Japan means to take that position.

I am, Sir,

Your obedient servant,

(Signed) A. E. Buck.

Enclosure No 2, with Mr Buck's No 134, of dat. May 10th, 1898.

No. 107.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

To Commodore George Dewey,

Commanding United States Naval Force

on the Asiatic Station,

Hongkong, China.

Sir:

I beg to confirm hereby a cipher telegram sent to you yesterday, the reading of which is as follows:- "Commodore Dewey, "Hongkong. Under Japan's proclamation of neutrality you may "take coal sufficient to reach nearest United States port once "every three months".

In this connection I enclose herewith a translation, verified at this Legation, of the Imperial Rescript and Ordinances of date April 30th which comprise the Proclamation of Neutrality officially promulgated by the Japanese Government on May 2

It appears that the clause limiting the quantity of coal and other supplies to be taken by a vessel to an amount sufficient to enable the vessel to reach the nearest port of its own country is to be interpreted as limiting the quantity of such supplies, not necessarily involving that they be used for a voyage home, though implying that.

Very respectfully, your obedient servant,

(Signed) A.E.Buck.

Enclosure:- Translation of Proclamation of Neutrality, as above.

No. 135
ASSISTANT SECRETARY,
Acted June 6.
JUN 6 1898

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2 JUN 1898
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DIPLOMATIC,
JUN 6 1898
BUREAU.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Mr. Herod's return to America. Advisability of his retention as First Secretary. Advisability of Mr. Wilson's promotion, in case of Mr. Herod's not returning.

No. 135.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

Referring to the leave of absence granted Mr. Joseph R. Herod, the First Secretary of this Legation, by Instruction No. 78, of December 20th last, I have the honor to state that tomorrow the 11th instant he will sail for the United States by the steamer "China".

In this connection I regard it proper to state that I think the interest of the service will be conserved by the retention of Mr. Herod as First Secretary here for reasons set forth at some lenght in my dispatch of October 11th last, except that given in respect to the compilation of a new index of the records of the Legation, now finished.

The reasons for the retention of Mr. Herod for some months then given apply with more force now, and lead me to recommend that he be continued in his present position.

In a letter to the President addressed to the Department October 29th last I stated that "I desire and hope that no "change in the First Secretary of this Legation will be made "before next spring and then in consequence of Mr. Herod's re-

"signation

"signation which I anticipate may be made to take effect in May." Since that time the value of Mr.Herod's service has so impressed me that now, unless he should wish to resign on his arrival home, which I do not now anticipate, I strongly desire that he be not removed. It would take some time for any new appointee, no matter what his ability might be, to acquire that high standing with the Japanese Government and the Diplomatic Corps, so desirable and necessary in a First Secretary, which Mr.Herod now has.

In event of Mr.Herod's resignation, however, intimated by him last October, which I now understand was done under the impression that he was probably to be removed, unless he did resign, which I think he does not now intend to do, if he can remain in his present position, I am now of the opinion that my Second Secretary, Mr.Huntington Wilson, should be appointed his successor. Mr.Wilson has evinced excellent ability. He is rapidly acquiring a knowledge of the Japanese language, and shows a commendable ambition to meet all the requirements for the successful discharge of the duties of First Secretary, which position I regard him competent to fill.

I have the honor to be,

Sir,

Your obedient servant,

W. E. Buck

no. 2.
2D ASSISTANT SECRETARY,
Ack. by Number and File.
JUN 3 1898
DIPLOMATIC
JUN 4 1898
BUREAU.
no 1.
2D ASSISTANT SECRETARY,
Ack. by Number and File.
JUN 3 1898
No. 136
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Professor Seiichi Toyama succeeds Marquis Saionzi as Minister for Education.

No. 136.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that Marquis Saionzi has withdrawn from the post of Minister for Education on account of ill-health; and that Professor Seiichi Toyama, hitherto President of the Imperial University, succeeded on the 30th ultimo to that portfolio.

Professor Toyama was educated in England and in America, where he took a degree at the University of Michigan, He is considered to possess qualifications of the highest order, his whole career having been in educational work. While not an active politician, he is an "Independent Progressive" allied to Marquis Ito.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUN 3 1898
BUREAU.
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2 JUN 1898
DEPT. OF STATE

No. 137.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Mr: Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Instruction No. 104 of March 31, 1898, enclosing Russian Chargé d'Affaires' announcement of the cession of Port Arthur and Talien-wan to Russia.

No. 137.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of Your Instruction No. 104 of date March 31st 1898, enclosing for the files of this Legation copy of a note from the Russian Chargé d'Affaires ad interim at Washington, in which he informed the United States Government that, by a convention signed at Peking by the Russian representative and the members of the Tsung-li-Yamen, China had ceded in usufruct to Russia Port Arthur and Talien-wan, with adjacent territories, and that those ports and territories would be occupied by Russian troops; and also that Talien-wan would be open to the commerce of all friendly nations.

I have the honor to be,

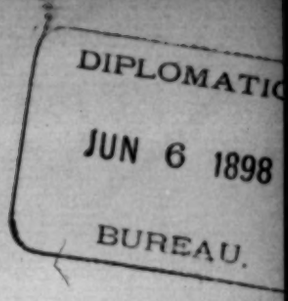
Sir,

Your obedient servant,

W. W. Buck

No. 138.





LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Yokohama and Tokyo Dispatch June 7/98

Mr. Buck

to the Secretary of State

Subject:

Three Japanese war vessels dispatched to the Philippines to observe operations and protect Japanese subjects.

No. 138.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that on the 3d instant I received a note from the Minister for Foreign Affairs, of date the day before, (Copy of which is enclosed herewith) apprising me of the intention of the Japanese Government, in view of hostilities between the United States and Spain, to dispatch to the vicinity of the Philippine Islands and Hongkong three war vessels, for the purpose of observing operations and protecting Japanese subjects; and requesting me to communicate the matter to the Government of the United States. This I did in my telegram to you of date the 3d instant, the reading of which I have the honor to append on the overleaf.

I have the honor to be,

Sir,

Your obedient servant,

Enclosure:

Copy of Baron Nissi's Note No. 13, of May 2nd, as above.

Reading of telegram sent.

"Sherman, Washington. May third.

"Minister for Foreign Affairs of Japan requests me to
"form you Government of Japan is to send three war vessels
"Philippine Islands to observe naval operations and to pro
"Japanese subjects.

"Buck"

Enclosure with Mr Buck's No 138, of date May 10th, 1898.

Translation No.13. (Copy)

Department of Foreign Affairs,

Tokyo, the 2nd day , the 5th month,

the 31st year of Meiji.

His Excellency

Alfred E.Buck

Envoy Extraordinary and Minister Plenipotentiary

of the United States of America.

Monsieur le Ministre:

I have the honor to acquaint Your Excellency that I am in receipt from the Minister of Navy of a communication to the effect that in view of the hostilities commenced between the United States of America and Spain, three vessels out of the Imperial squadron will be dispatched to the neighborhood of Hongkong and the Philippine Islands for the purpose of observing the naval operations as well as of protecting His Imperial Majesty's subjects, with instructions to their commanders to use best efforts not to impede in any way the movements of the belligerent parties.

I beg to request that Your Excellency will be so good as to communicate the matter above-stated to Your Excellency's Government.

I avail etc.

(Signed) Baron Nissi Tocziro,

Minister for Foreign Affairs.

DIPLOMATIC,
JUN 3 1898
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NO. 139.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Requesting customs courtesies for Mr. Von Treutler,

Secretary of German Legation in Japan.

No. 139.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to inform you that Mr. Von Treutler Secretary of the German Legation at this Court , accompanied by his family, will return to his country via San Francisco and New York, some time in June, probably arriving in the United States by the S.S."Coptic", and to request that instructions may be issued to the authorities at the above mentioned ports to grant him the usual customs facilities.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUN 3 1898
BUREAU.

20 ASSISTANT SECRETARY,
Send to Mr. Conroy to print.
Ack accordingly under copies.
JUN 3 1898

No. 140.

INDEX BUREAU
REC'D.
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DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Rec'd June 23

Printed in
Advance Sheets
June 21

Mr. Buck,

to the Secretary of State,

Subject:

Translation of Japan - Russia Protocol regarding Korea, signed April 25, 1898.

NO. 140.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 10, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to enclose herewith a draft translation of a new Protocol negotiated between Japan and Russia , in relation to Korea, on the 25th ultimo, the text of which is published in to-day's Official Gazette.

I have the honor to be,

Sir,

Your obedient servant,

A. G. Buck

Enclosure:

Translation of Japan-Russia Protocol of April 25, 1898.

Enclosure with Mr Buck's No 140, of date May 10th, 1898.

Translation (from Official Gazette of May 10, 1898.)

JAPAN - RUSSIA PROTOCOL.

The following Protocol relating to Korea was signed between the Imperial Governments of Japan and Russia on the 25th ultimo:-

PROTOCOL.

In accordance with the provisions of Article IV of the Protocol signed at Moscow on June 9th (May 28th) , 1896, by Marshal Marquis Yamagata and Prince Lobanow, Secretary of State, it is hereby agreed by Baron Nissi, His Imperial Japanese Majesty's Minister for Foreign Affairs, and Baron Rosen, Counsellor of State, etc., Envoy Extraordinary and Minister Plenipotentiary of the Emperor of all the Russias, having been duly authorized thereto by their respective Governments:

I.- That the Governments of Japan and Russia, recognizing the sovereignty and complete independence of Korea , shall in no way directly interfere with the domestic government of that country.

II.- That in order to avoid misunderstandings in the future , whenever either Japan or Russia is applied to by Korea for advice or assistance, neither party shall take any steps toward the appointment of military instructors or financial advisors without previous consultation with the other .

III.- That Russia, recognizing the great progress made in commercial and industrial enterprises by Japan in Korea, and the great number of Japanese subjects residing in the Settlements, will do nothing to injure the development of the commercial

and industrial
mercial relations between Japan and Korea.

Done in duplicate, at Tokyo, this 25th day of April, 1898.

(Signed) NISSI

ROSEN.

Correct Translation
R. R. Miller
U. S. Interpreter
of Legation.

官報

第四千四百五十五號

明治三十一年五月十日　火曜日

内閣官報局

○告示

内務省告示第四十號

越佐教育雜誌

新潟縣新潟市大字米湊舟入町　米澤藤次郎　發行

右出版物ハ第六十四號記載ノ事項出版法第二條ノ範圍外ニ在ルモノト認メ以テ自今出版法ニ依リ出版スルコトヲ差止ム

明治三十一年五月十日　内務大臣　子爵芳川顯正

内務省告示第四十一號

五月五日富山市金山米次郎發行雜誌第一號「不平等ヲ組織せよ」ト題スル事項ハ社會ノ秩序ヲ壞亂スルモノト認メ告示シタルニ付其ノ事項ト同一主旨ノ事項ノ記載ヲ停止ス

明治三十一年五月十日　内務大臣　子爵芳川顯正

遞信省告示第百二十六號

印度バルバドス島ヘ宛ル電報ノ檢査ハ當分ノ間之ヲ爲サヽルコトニ決シ通報ニ來レリ

明治三十一年五月十日　遞信大臣　文學博士男爵末松謙澄

遞信省告示第百二十七號

明治三十年六月遞信省告示第百六十六號萬國電信條約附屬規則第二十八條第四節中「西班牙」ノ項左ノ通改正ス

明治三十一年五月十日　遞信大臣　文學博士男爵末松謙澄

「ペセタ」ヲ「三圓ヲ以テ一ペセタ」ニ改ム

○敍任及辭令

明治三十一年五月九日

錢從三位　正四位勳二等　中野　初

錢從四位　正五位勳五等　樺山資紀

任佐賀縣技師　東京工業學校教授從七位勳八等　鶴山奎二郎

錢高等官六等　佐賀縣技師從七位勳八等　鶴山奎二郎

任佐賀縣技師　非職北海道廳技師從七位　木下　廉

敍高等官七等　佐賀縣技師從七位　木下　廉

任秋田縣技師　秋田縣技師從七位　尾崎忠治

（印）

（印）

（印）

DIPLOMATIC,

JUN 14 1898

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No. 141.

2D ASSISTANT SECRETARY, Copy, with original enclosures, to Secy of War. JUN 13 1898

So ack. aal

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 21, 1898.

1 Acker and
√ to Sec. of War.
June 14/98 C.

Mr. Buck

to the Secretary of State.

Subject:

Forwarding specifications and drawings for a sub-marine torpedo invented by James A. Gilkerson, of Kobe, Japan.

No. 144.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 21, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

At the suggestion of the United States Consul at Kobe I have the honor to enclose herewith, with the request that they be forwarded, if thought proper, to the War Department, specifications and drawings of an "improved sub-marine mine or torpedo for coast and harbor defence", which James A.Gilkerson, an American mechanical engineer resident at Kobe, Japan, claims to have invented and desires to have placed in the hands of the authorities at Washington.

I have the honor to be,

Sir,

Your obedient servant,

Enclosure:

Specifications and drawings for sub-marine torpedo invented by James A.Gilkerson, as above.

DIPLOMATIC,
JUN 14 1898
BUREAU.

INDEX BUREAU
REC'D.
13 JUN 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
So advise the Com-
plainants -
Ack with pleasure
JUN 13 1898

No. 142.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 21, 1898.

Ackd and
To Laura Memorial Med
men's Ltr Jan 4/98 to
Laura Mem
Coll.
and Dec 25 ft.

Mr. Buck

to the Secretary of State.

Subject:

The recognition of the diploma of the Laura Memorial Medical College.

No. 142.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 2I, I898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

Referring to your Instructions Nos.68 and I02 (the receipt of which is hereby acknowledged) of dates January 3d and March 30th respectively, and to my Dispatches Nos.95 and 97 of dates the I4th and I8th of February last, in regard to the refusal of the Japanese authorities to grant to two Japanese graduates of the Laura Memorial Medical College the privilege of practicing in this country without further examination, I have the honor to state that I am in receipt of information to the effect that the Japanese authorities have withdrawn their objections and granted to the two graduates of that institution permits to practice, without further examination, having decided, it seems, in view of the evidence which has been furnished of the standing etc. of the Laura Memorial Medical College, to consider its diploma sufficient proof of fitness.

I have the honor to be,
Sir,
Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUN 14 1898
BUREAU.
INDEXED BUREAU
REC'D. N.
13 JUN 1898
DEPT. OF STATE

No. 143.

2D ASSISTANT SECRETARY,
Ack by subject & file
JUN 13 1898

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 20, 1898.

Ack'd June 23/98 C

Mr. Buck

to the Secretary of State.

Subject:

The opening of the Twelfth Diet by the Emperor on May 19th.

No. 143.

LEGATION OF THE UNITED STATES;

Tokyo, Japan, May 20, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that the Twelfth Diet was yesterday formally opened by the Emperor, who delivered a short address upon the occasion, translation of which is enclosed herewith. His Majesty refered to the approaching consummation of treaty revision, charging Japanese subjects to unite in the effort to secure the successful operation of the new treaties; and touched upon the submission to the Diet of remaining portions of the Revised Codes, and of a bill for amending the law governing election to the House of Representatives. Continuing he mentioned that although the revenue and expenditure for the current fiscal year are to be according to the budget for last year, the Ministers of State are instructed to frame for submission to the Diet bills for the increase of taxes together with a supplementary budget. In conclusion the affairs of the country were commended to the careful and mature consideration of the members. It appears that no reference was made to foreign relations.

The

The present session of the Diet is to last but twenty days, unless prolonged by Imperial Order, and some doubt is entertained as to whether the Government will have a majority in that body.

As Japanese political parties at the present day consist rather of the personal followings of individuals, upon whose manipulations their position largely depends, than of bodies of individuals who advocate certain principles, it is impossible to anticipate with certainty the attitude that the parties will take. It is rumored that there is an understanding between the Government and the Liberals (Count Itagaki's party) whereby the latter will support the Government. If this turns out to be the fact a majority in the Diet for the Government will probably be assured.

I have the honor to be,

Sir,

Your obedient servant,



Enclosure:

Translation of the Emperor's address at the opening of the Diet, as above.

Enclosure with Mr. Buck's No. 143, of date May 20th, 1898.

Translation.

The speech from the throne on the occasion of the opening of the Imperial Diet was as follows:

We hereby perform the opening ceremony of the Imperial Diet, and make the following announcements to the members of the Upper and Lower Houses:-

The work of Treaty revision, the result of the national policy adopted at the time of the opening of the country, is now in sight of final consummation; and it is Our hope that Our loyal subjects , high and low, will unite in their endeavors to secure a successful working of the new Treaties, and thereby advance the prestige of Our country.

The operation of the codes we ordered sometime ago to be postponed; but now after further deliberation part of them have already been promulgated, and We hereby cause the portions that have since been revised to be laid before the Diet.

With a view to increase the stability of Our constitutional government in harmony with the progress of the times, We have also presented a bill for the amendment of the law of election of the members of the Lower House.

We have ordered that the Revenue and Expenditure for the thirty-first fiscal year of Meiji be managed according to the Budget of the preceding year; and in order to strengthen the basis of the public finances We have instructed Our Ministers of State to elaborate measures for the increase of taxes to be submitted to the Diet for deliberation, together with supplementary budgets and other bills of importance.

We trust you will faithfully discharge your legislative duties by bestowing upon the important matters of State your careful attention. ----- Official Gazette.

No. 144.

Requests usual courtesies for Household effects &c.

DIPLOMATIC,
JUN 14 1898
BUREAU.

INDEX BUREAU
REC'D.
14 JUN 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 25, 1898.

To Treas 6/15 Ans June 23/98 c.

Mr. Buck

to the Secretary of State.

Subject:

Colonel Rice, Military Attaché, recalled to the United States; requesting customs courtesies for household effects.

No. 144.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, May 25, 1898.

To the Honorable John Sherman,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that Brevet Lieutenant Colonel Edmund Rice, Military Attaché of this Legation, having received instructions to report to the Secretary of War in Washington, will sail for America by the Canadian Pacific S.S. "Empress of Japan" on the 27th instant.

Colonel Rice is sending 15 packages of household effects to New York by the Mogul-Warrack-Milburn S.S. "Afridi", sailing from Yokohama on or about the 26th instant. I have the honor to request that the Collector of the Port of New York be instructed to grant, in the case of Colonel Rice's effects, whatever courtesies are customary.

I have the honor to be,

Sir,

Your obedient servant,

J. G. Buck

145

NO. 145

Legation of the United States
Tokyo, May 26, 1898.

DIPLOMATIC
JUN 14 1898
BUREAU.

INDEX BUREAU
REC'D.
14 JUN 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
Ack. Dept advised
by Jap. Min. on the
26 May
JUN 14 1898

Ackd June 22/98

COPIED. FOREIGN RELATIONS.

Mr. Buck

to the Secretary of State.

Subject:

Repeal of the law providing for bounty on the export of raw silk.

NO. 145.

LEGATION OF THE UNITED STATES.

Tokio, Japan, May 26, 1898.

Honorable John Sherman,

Secretary of State,

Washington, D.C.

Sir:-

Referring to the unnumbered instructions of the Department of date July 23rd and 27th, 1897, and my despatch No. 35 of date September 23rd. last, relating to bounty laws making a discrimination in favor of Japanese subjects, especially bounties upon exports of raw silk, I have the honor to state that, immediately upon the opening of the present session of the Diet, a bill repealing the act providing for a bounty on such exports of raw silk by Japanese subjects was introduced; which bill passed the lower house on the 21st. instant: that on the 23rd. instant it passed the House of Peers unanimously, and now only awaits the Imperial sanction to go into effect, which is expected to be given within the next few days.

I am informed by Mr. Kaneko, H.I.J.M.'s Minister for Agriculture and Commerce, who has had charge of the bill in behalf of the Government, that the Japanese Minister in Washington has already been informed by cable of the repeal of the silk bounty law, that he may communicate that information to the Department of State at once, which if not already done, he doubtless will speedily do.

I have the honor to be

Sir,

Your obedient servant,

[signature]

DIPLOMATIC
JUL 1 1898
BUREAU

No. 146.

INDEX BUREAU
REC'D.
29JUN1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

To Agr July 2/98

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging receipt of samples of seeds for the Japanese Department of Agriculture and Commerce.

No. 146.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D. C.

Sir:-

I have the honor to acknowledge the receipt of Instruction No. 107, of date April 7th, last, together with the samples of seeds supplied by the Secretary of Agriculture for the use of the Department of Agriculture and Commerce in this country.

The samples have been forwarded to the Director of the Experiment Station in Tokyo and their receipt has been acknowledged with thanks.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 1 1898
BUREAU.

No. 147.

INDEX BUREAU
REC'D.
29JUN1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging receipt of Congressional Documents relating to the situation in Cuba.

No. 147.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D. C.

Sir:-

I have the honor to acknowledge the receipt of the Department's unnumbered instruction of date April 18th transmitting copies of documents of the House of Representatives and the Senate touching the situation in Cuba, and showing the reasons for the present attitude of the United States Government towards the questions concerned.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 1 1898
BUREAU.

No. 148.

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RECD.
29JUN1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Has informed the Japanese Government of the Declaration of adhesion to the Universal Postal Convention by the Orange Free State.

No. 148.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D. C.

Sir:-

In compliance with your unnumbered instruction of date April 21st last I have the honor to state that I have notified the Government of Japan that, as required by the provisions of the Postal Congress held at Washington in June last, the Government of the United States had received, through the proper authorities, the declaration of the adhesion of the Orange Free State to the Universal Postal Convention signed at Washington on June 15th, 1897, as well as the terms upon which the declaration was made as set forth at length in the instruction under reply.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 1 1898
BUREAU.

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REC'D.
29 JUN 1898
DEPT. OF STATE

No. 149.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Has received three copies of President's Proclamation announcing blockade of Cuban coasts.

No. 149.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D. C.

Sir:-

I have the honor to acknowledge receipt of an unnumbered instruction of date April 25th confirming the Department's telegram of the 22nd of April and enclosing three copies of the President's Proclamation announcing the institution of a blockade of the North coast of Cuba between Cardenas and Bahia Honda, and the port Cienfuegas on the south side of the Island.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 1 1898
BUREAU.

o. 150.

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RECD.
29JUN1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

r. Buck

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction dated April 25, 1898 elating to the policy of the United States Government in the vent of hostilities with Spain.

No. 150.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D. C.

Sir:-

I have the honor to acknowledge the receipt of the Department's Instruction of date April 25th, 1898, confirming the telegram from the Department of the 22nd April stating that in the event of hostilities between the United States and Spain the policy of our Government would be not to resort to privateering but to adhere to the recognized rules of international law known as the Paris Declaration.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 1 1898
BUREAU.

o.151.

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REC'D.
29JUN1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

r. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of six copies of the President's Proclamation touching the existence of war between the United States and Spain.

No. 151.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 2nd, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D. C.

Sir:-

I have the honor to acknowledge receipt of an instruction from the Department dated the 28th of April last confirming the Department's telegram of April 25th and enclosing six copies of a Proclamation by the President touching the existence of war between the United States and Spain.

As directed by the Instruction under reply one copy of the above mentioned document was furnished to the Government to which I am accredited in an official Note under date of May 30th.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUN 30 1898
BUREAU.

No. 152.

INDEX BUREAU
REC'D.
29JUN1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
Ack. by Number and File.
aag
JUN 30 1898

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 6, 1898.

COPIED. FOREIGN RELATONS.

Mr. Buck

to the Secretary of State.

Subject:

The bill repealing the Raw Silk Export Bounty Law received Imperial Sanction on May 25th, from which date is takes effect.

No. 152.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 6, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

Referring to my Dispatch No. 145, of date the 26th ultimo, stating that a bill repealing the law providing a bounty for Japanese subjects directly exporting raw silk had passed both Houses of the Diet, I have the honor to inform you that the bill received Imperial Sanction on the 25th ultimo, from which date it takes effect. That Imperial Sanction had been given was not yet known when my Dispatch No. 145 was written.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 1 1898
BUREAU.
INDEX BUREAU
RECD. 29 JUN 1898
DEPT. OF STATE
2D ASSISTANT SECRETARY,
Ack by subject.
JUN 30 1898

No. 153.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 6, 1898.

Acknowledged July 1/98

Mr. Buck

to the Secretary of State.

Subject:

The Government thus far sustained in the Diet. The present political situation regarding Foreign Affairs.

No. 153.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 6, 1898.

To the Honorable William R.Day,

Secretary of State,

Washington.

Sir:

Referring to my Dispatch No.143 of date the 20th ultimo, upon the address of the Emperor in opening the session of the new Diet, in which dispatch I referred to the attitude likely to be assumed by certain factions or parties in the Diet, towards the Government, I have the honor now to inform you that on May 30th last the Government was sustained in the Lower House by a decisive vote of 171 to 115 upon a proposed Address to the Throne expressing a want of confidence in the Cabinet. The following is the text of the Address, as translated:

"Your Majesty's humble servant, Kenkichi Kataoka, President of the House of Representatives, in conformity with the resolution of the House, in all humility and reverence addresses Your Majesty.

"Your Majesty's humble servant is respectfully reminded that to enable China to maintain her independence is to strengthen the peace of the Far East; that this will enable all the Powers in the world to enjoy the benefits accruing from their mutual intercourse, a result which is nothing less than that

"aimed

"aimed for by the national policy of the Empire. It was in "pursuance of this view that Your Majesty has complied with the "advice of Russia , Germany, and France to retrocede the Liao-"tung peninsula. This point is clearly stated in the Imperial "Rescript issued on the occasion and is universally acknow-"ledged at home and abroad. In strange contrast to this fact "the Ministry in power, merely contented to temporize affairs, "are idly looking on while one Power is strengthening itself "in the district retroceded by Japan, the Power that has advis-"ed the Empire to retrocede the peninsula, and do not contrive "any measure calculated to maintain the ballance of power and "peace in these waters. Their actions are flagrantly opposed "to Your Majesty's motive in the matter of the retrocession of "the district. At a time such as this when domestic and foreign "affairs of great importance are occurring one after another in "rapid succession, far is it from Your Majesty's servant's idea "to act in any way contrary to the spirit of amicable coöpera-"tion. Nonetheless, to pass over in silence this state of af-"fairs is not compatible with the duty of representing the peo-"ples' ideas. In pursuance of this consideration Your Majesty' "humble servant, Kenkichi Kataoka, President of the House of "Representatives, by respectfully manifesting his candid views "in all humility and reverence addresses the Throne, to the end "that the August judgment of Your Majesty may be vouchsafed."

The proposal of an Address to the Throne is traceable to a somewhat widespread feeling of dissatisfaction at the acquisitions in Shantung by Germany and in Liaotung by Russia, two of the Powers which, on the ground of preserving the integrity of the Chinese Empire and of assuring the peace of the Far East

brought

"aimed for by the national policy of the Empire. It was in "pursuance of this view that Your Majesty has complied with the "advice of Russia , Germany, and France to retrocede the Liao- "tung peninsula. This point is clearly stated in the Imperial "Rescript issued on the occasion and is universally acknow- "ledged at home and abroad. In strange contrast to this fact "the Ministry in power, merely contented to temporize affairs, "are idly looking on while one Power is strengthening itself "in the district retroceded by Japan, the Power that has advis- "ed the Empire to retrocede the peninsula, and do not contrive "any measure calculated to maintain the ballance of power and "peace in these waters. Their actions are flagrantly opposed "to Your Majesty's motive in the matter of the retrocession of "the district. At a time such as this when domestic and foreign "affairs of great importance are occurring one after another in "rapid succession, far is it from Your Majesty's servant's idea "to act in any way contrary to the spirit of amicable coöpera- "tion. Nonetheless, to pass over in silence this state of af- "fairs is not compatible with the duty of representing the peo- "ples' ideas. In pursuance of this consideration Your Majesty' "humble servant, Kenkichi Kataoka, President of the House of "Representatives, by respectfully manifesting his candid views "in all humility and reverence addresses the Throne, to the end "that the August judgment of Your Majesty may be vouchsafed."

The proposal of an Address to the Throne is traceable to a somewhat widespread feeling of dissatisfaction at the acquisitions in Shantung by Germany and in Liaotung by Russia, two of the Powers which, on the ground of preserving the integrity of the Chinese Empire and of assuring the peace of the Far East

brought

brought influence to bear to induce Japan to retrocede Liao-tung, which she had acquired in her late war with China; and to the apparent apathy of the present Government in the face of territorial acquisitions and certain rights acquired and in process of acquirement by the above mentioned Powers as well as by France and England.

Additional signs of this feeling of dissatisfaction were two sets of questions on diplomatic matters addressed to the Government on the 2Ist ultimo, the one by Liberals and the other by Progressives. These, together with the answers signed by the Minister for Foreign Affairs which were read in the House on the 24th, are set forth in substance in duplicate clippings from the Japan Times of the 22d and of the 26th ultimo, enclosed herewith.

In refutation of the charge of apathy in foreign affairs on the part of the Government are cited the accomplishment by it of the recent Russo-Japanese Protocol regarding Korea, a copy of which accompanied my Dispatch No?I40, of the I0th ultimo; and an agreement regarding Fukien and other matters said to have been recently made with China by the Japanese Representative at Peking, by which it is stipulated that:- (I)"No "part of Fukien shall ever be ceded to a foreign Power. (2)That "Japanese subjects forming partnerships with Chinese subjects "for the purpose of carrying on mining operations in China shall "enjoy the same privileges as those granted by the Chinese Gov-"ernment to the subjects or citizens of any other foreign Power. "(3) Whenever Japan suffers from a scarcity of food stuffs, the "prohibitions imposed by the Chinese Authorities on the export "of rice shall be relaxed in her favor." The advantages of these

two

two agreements do not seem, however, to be sufficient fully to satisfy those who are finding fault with the present conduct of Japan's foreign relations.

It is fortunate, in view of the important legislation now before the Diet, that the resolution for an Address to the Throne, which would have amounted practically to a resolution of want of confidence in the Cabinet, was defeated. Its defeat may have been due in part to forbearance pending the present important duties before the Diet. The uncertainty of the Government's being earnestly supported by either of the principal political parties continues to give cause for considerable concern as to the successful carrying of all the Government's measures, though there seems to be no doubt of the passing of the Revised Codes, upon which Treaty Revision depends.

I have the honor to be,

Sir,

Your obedient servant

J. C. Buck

Enclosure:

Duplicate clippings from Japan Times, as above, giving substance of questions on diplomatic matters by both Liberals and Progressives, and the replies of the Government.

Enclosure with Mr Buck's No 153, of date June 6th, 1898

Question by Liberals

What diplomatic action did the Government take in regard to the lease of Kiachow by Germany and of Port Arthur and Talienwan by Russia, and did the Government open negotiations with those and other Powers in regard to those affairs?

Did the Government hold correspondence with England or come to an understanding with that Power in regard to England's lease of Wei-hai-wei?

What steps and attitude is the Government contemplating to adopt towards China for the maintenance of peace and balance of power in these waters?

What steps will the Government adopt in regard to the Shashi outrage?

How are Hawaiian affairs progressing?

Question by Progressives.

1. When, in conformity with the advice of Russia France, and Germany, Japan retroceded the Liaotung Peninsula, did Japan exact from those Powers any assurance that neither of them would in future lease or in any way obtain transference of the same region from China? If that were the case he desired to receive an explanation

2 Not only the lease of Port Arthur and Talien alone but also several other privileges such as the construction of railways, mining, etc. seem to have been secured by Russia from China. What had Japan ascertained on those points?

3. Germany, France, and England also seemed to have acquired or were about to acquire several privileges or contracts from China. What had the Government ascertained in those respects?

4. In regard to the recent development of the relationship between China and the European Powers, what measures have the Government adopted in the interest of maintaining the *status quo* in the Far East and Japan's rights and interest?

Government's reply to Question by Liberals, signed by Minister for Foreign Affairs.

As to the first clause the Government does not think the present a fitting time to give any definite answer.

Concerning the 2nd clause, the Government has received a communication from the British Government asking whether or not Japan entertained any objection to England's desire to lease Wei hai-wei after the Japanese troops should have been withdrawn from that place. To that question the Imperial Japanese Government had replied that it did not entertain any objection.

With regard to the 3rd clause, the Government wishes to declare that it is desirous as far as it is in its power to do so to enable China to maintain its independence and integrity.

The Government is negotiating with China in regard to the question set forth in the 4th clause.

With regard to the 5th clause, Japan and Hawaii arranged to submit the points of dispute for arbitration to a third party, and are now negotiatting as to the condition of that arbitration.

Government's reply to Question by Progressives, signed by Minister for Foreign Affairs.

With regard to the 1st clause, no special stipulation was concluded inasmuch as the prevailing conditions did not allow of such arrangement.

With regard to the 2nd clause, the Imperial Government has received an intimation from the Russian Government, stating that Port Arthur and Talienwan and their vicinities had been leased from China and that Talienwan would be opened to foreign commerce. The Imperial Government understands that Russia has obtained a concession to extend a branch from the East Siberian trunk line to a suitable place in the Liaotung.

The Government is of opinion that the information which it has obtained with regard to the 3rd clause does not materially differ from the intelligence that has thus far appeared in the press and elsewhere. Exact details are still lacking.

As to the policy which the Government, by discerning the actual circumstances at home and abroad and deliberating over the actual advantages and disadvantages attending the steps it should adopt, it is prevented from making any definite announcement.

by tdb June 13 1898

DIPLOMATIC, JUN 13 1898 BUREAU.

TELEGRAM RECEIVED IN CIPHER.

ASSISTANT SECRETARY, JUN 12 1898

From Tokio, June 12, 1898.

Received 6.00 A.M.

✓ Copy'd June 14.

Day,

Washington.

Japanese Government is much disturbed about duty on tea. Japanese Minister for Foreign Affairs claims will be very disastrous. Upon his request I make known the situation by cable.

BUCK.

ered by Carr.

, 189 , M.

No. 154.

File
DIPLOMATIC,
JUL 13 1898
BUREAU.

INDEX BUREAU
RECD.
12 JUL 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of the Department's unnumbered instruction of date May 5th, 1898, enclosing Treasury Department Circular No. 72.

No. 154.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's unnumbered instruction of date the 5th ultimo, enclosing two copies of the instructions issued by the Treasury Department for the guidance of Collectors of Customs and others in the clearance of vessels and shipments therein during the war with Spain.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

file

DIPLOMATIC,
JUL 13 1898
BUREAU.

No. 155.

INDEX BUREAU
REC'D.
12 JUL 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Mr. Day's unnumbered instruction of date May 17th, 1898, enclosing circulars and papers in re adoption of Additional Articles of Geneva Convention by the United States.

No. 155.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of your instruction (Unnumbered) of date the 17th ultimo, enclosing three copies of a circular and papers relating to the adoption by the United States of the Additional Articles of the Geneva Convention as a modus vivendi during the present hostilities with Spain.

I at once transmitted one copy to the Minister for Foreign Affairs.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 13 1898
BUREAU.

No. 157.

INDEX BUREAU
REC'D.
12 JUL 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of the Department's unnumbered instruction of date May 5th, 1898.

No. 157.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

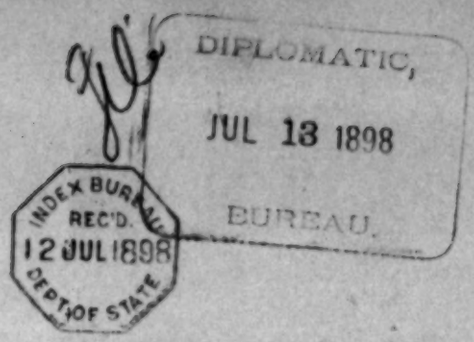
I have the honor to acknowledge the receipt of the Department's unnumbered instruction of date the 5th ultimo, enclosing two copies of General Order No. 487, Navy Department, April 27th, 1898, in regard to the service assigned to the "Solace" as an ambulance ship.

I have the honor to be,

Sir,

Your obedient servant,

Edwin Buck



No. 158.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Japanese Government's concern at duty of 10 % on tea. Confirming Mr. Buck's and the Department's telegrams of dates the 11th and 13th instant on the subject.

No. 158.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that on the 11th instant the Vice Minister for Foreign Affairs called at the Legation and expressed on behalf of the Minister great concern at the then proposed War Revenue duty of 10% on tea, which, as was claimed, would have a disastrous effect upon the tea industry and trade of Japan. Upon his request I embodied the facts in a telegram to you of that date, which, together with your telegraphic reply of the 13th instant, I have the honor to confirm on the overleaf.

Upon receiving your telegram a copy of the reading was shown to the Vice Minister by the Second Secretary of the Legation, the impossibility of reconsidering the matter at so late a date and its temporary and urgent nature being pointed out in the sense of your instruction. Today I have received the personal thanks of the Minister for Foreign Affairs for having complied with his request made through the Vice Minister.

I have the honor to be,

Sir,

Your obedient servant

A. E. Buck

Telegram sent.

Tokyo, June II, 1898.

"Day, Washington.

"Japanese Government is much disturbed about duty o
"Japanese Minister for Foreign Affairs claims will be ve
"astrous. Upon his request I make known the situation b

"Buck."

Telegram received.

Washington, June 13, 1898

"Buck Minister, Tokio.

"Your telegram received. Minister from Japan presented
"Note touching proposed duty on tea. War Revenue Bill passe
"the conference stage. Duty has been agreed to. It is too
"late to reconsider now, conference report having been agree
"to and ~~and~~ not now open to amendment. Have answered Japan-
"ese Minister accordingly, pointing out temporary and urgent
"necessity for war revenues.

"Day"

DIPLOMATIC,
JUL 14 1898
BUREAU.

INDEX BUREAU
REC'D
12 JUL 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
Ack. & file
aad
JUL 13 1898

NO. 159.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

July 5/98

Mr. Buck

to the Secretary of State.

Subject:

The dissolution of the Twelfth Diet, after the rejection of the Land Tax Increase Bill. The Revised Civil Code passed. The situation relative to the Government, etc.

No. 159.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 16, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that the Twelfth Diet was dissolved by Imperial Rescript on the 10th instant, the cause of the dissolution being the rejection in the House on that day of the Land Tax Increase Bill by the enormous majority of 247 to 27.

The defeat of the Land Tax Bill has been a disappointment to the Government and to industrial interests generally, it being a desirable measure in order to place the country's finances upon a sound basis. Its defeat is due in part to an unreasonable habit of opposition to the Government, and in part to the fact that the Government would propose no measure providing for a reassessment of values of property throughout the Empire, and would not, at this time, assent to the passage of such a bill, though the necessity for it was apparent, as it was claimed. Twenty-five years having elapsed since the last assessment, the value of property had so changed—especially the value of property in cities had increased so much—as manifestly to make the taxes bear unequally and unjustly upon the

country

country. It was also claimed that the Tax Increase Bill should have been introduced at a regular session of the Diet, contemporaneously with the budget which the proceeds of the proposed tax were intended to meet, in addition to the claim that a reassessment should precede such legislation..

It seems likely that this will mark a turning point in Japanese politics. It is said that the Liberals and Progressives are taking steps to form one strong party and that the Cabinet with the strong support of many independents and of the business community are organizing a party to uphold the policy of the present Ministry in the next Diet. It seems not unlikely that these events will lead to party government in the future, the inefficiency of non-party cabinets having half hearted coalitions with one or another party having been fully proved.

Notwithstanding its short duration, considerable important legislation was accomplished during the session just ended, including the passing of the Revised Civil Code and laws relating to its operation. The Commercial Code in its revised form was not dealt with. Whether this will be put into operation and post facto approval sought in the next Diet, or the unrevised Commercial Code will be employed temporarily is not yet known.

A bill to increase the number of voters in the Empire by reducing the amount of tax to be paid as prerequisite to the exercise of the elective franchise, adding thereby a million and a half of voters, was presented to the Lower House by the Government and promptly passed by that body; but was smothered in

in committee by the House of Peers. It is claimed by the opposition that the Government had introduced this bill to expand the elective franchise with a view, to some extent at least, to influencing favorable action by the House on the Land Tax Bill.

I have the honor to be,

Sir,

Your obedient servant,

A E O Bruck

DIPLOMATIC,
JUL 14 1898
BUREAU

No. 160.

INDEX BUR.
REC'D. JUL
12 JUL 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
To Navy Dept, for information and suggesting that it be communicated to Mrs Gridley.
JUL 13 1898

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 17, 1898.

Navy July 16 98

Mr. Buck

to the Secretary of State.

Subject:

Manifestation of sympathy by the Japanese authorities at Captain Gridley's funeral.

No. 160.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 17, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that upon the sad occasion of the funeral of Captain Gridley of the United States Flagship OLYMPIA, who died on board the steamship Coptic while on his way from Manila owing to an illness from which he had suffered for several months, which was held in Yokohama on the 9th instant, marked sympathy was expressed by the Japanese authorities, the service being attended by the local Governor and an officer with a large escort of men detailed from the Japanese gunboat HEIYEN to take part in the ceremony.

I expressed my appreciation of these manifestations of sympathy in a note to the Minister for Foreign Affairs, requesting that they be communicated to the Minister for the Navy and to the commander of the HEIYEN and the escort.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
JUL 13 1898
BUREAU.

No. 161.

INDEX BUREAU
REC'D.
12 JUL 1898
DEPT. OF STATE.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 17, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging the receipt of Instruction No. 116, of date the 11th ultimo, providing for cost of repairs by increase of contingent allowance.

No. 161.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 17, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of your Instruction No. 116 of date the 11th ultimo, informing me that, in order to meet the cost of repairing damage done the Legation premises by the typhoon of September last, the Department has increased my contingent allowance for the quarter ending June 30th 1898 by $250.; and that this increase will be continued during the fiscal year 1898-1899, making the contingent fund $2250. for that year.

Since my application for additional allowance for this quarter, we have had another heavy wind which felled several trees, one upon the stables that did some damage, besides causing the roof of the main Legation building to leak. Also, a fire in close proximity to the compound has caused some injury to one of our smaller buildings. And it is now necessary to have a new cistern for water supply to the house. I now have a sufficient sum to meet the immediate and necessary expenses for repairs.

With thanks for the additional allowance for contingent

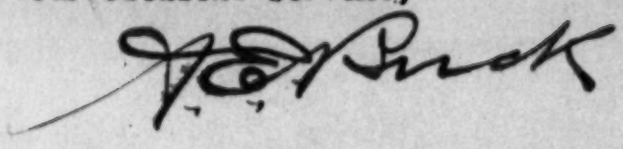
expenses

expenses for this quarter, and the increased amount of contingent fund for the next fiscal year,

I have the honor to be,

Sir,

Your obedient servant,



DIPLOMATIC,
JUL 21 1898
BUREAU

No. 162.

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REC'D.
21 JUL 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
Ack. by Number and File.
JUL 21 1898

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 27, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Resignation of the Ito Cabinet.

No. 162.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, June 27, 1898.

To the Honorable William R.Day,

Secretary of State,

Washington.

Sir:

I have the honor to inform you that it is asserted, apparently upon good authority, that on the 25th instant the Prime Minister, Marquis Ito, and all the rest of the Cabinet, excepting Marquis Saigo, Minister for the Navy, and Baron Nissi, Minister for Foreign Affairs, tendered their resignations, and that these last two will probably soon do likewise, a new Cabinet being formed in the course of a few days.

So soon as the facts in detail are authenticated I shall inform you of them.

The circumstances leading to the resignation of the Ito Cabinet were the rejection by the Lower House of the Government's bill for increasing the land tax, which was followed by the dissolution of the Diet, as set forth in my Dispatch No.159 of the 16th instant; and also to the fact that the Liberals and Progressives under Count Okuma and Count Itagaki have united in the formation of a new party, consolidating elements hitherto antagonistic, which party bids fair to se-

cure

cure in the coming elections a majority of the new Lower House

It is beleived that Count Okuma or Count Itagaki will be selected by the Emperor as Minister President of State to form a new Cabinet.

I have the honor to be,

Sir,

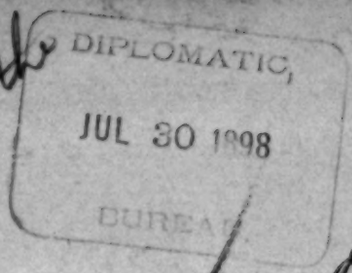
Your obedient servant,



NO. *.



Sent to Treasury for Director of the Mint.



Ackd and to Director of the Mint Aug 3/98

LEGATION OF THE UNITED STATES.

Tokyo, Japan, July 6, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Enclosing information regarding the coinage and currency of Japan.

No. #.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith certain information regarding the coinage and currency of Japan, embodied in answers to a series of questions which were asked for, to be used by the Treasury Department, in the State Department's instruction (unnumbered) of date February 19th 1898.

Immediately upon the receipt of the instruction I applied through the Foreign Office for the information desired, requesting that it be furnished speedily; but it reached the Legation only a few days ago, and having been immediately translated, is now forwarded, together with the Report of the Director of the Mint.

I have the honor to be,

Sir,

Your obedient servant,

W. E. Buck

Enclosures:

(1) Answers to Treasury Department's questions.

(2) Report of Director of the Mint.

DIPLOMATIC,
AUG 1 1898
BUREAU
INDEX BUREAU RECD. 30 JUL 1898 DEPT. OF STATE
2D ASSISTANT SECRETARY,
Ack by subject & file.
JUL 30 1898

No. 163.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

Aska
Aug 1/98

Mr. Buck

to the Secretary of State.

Subject:

Formation of a new Cabinet by Count Okuma.

No.163.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

To the Honorable William R.Day,

Secretary of State,

Washington,

Sir:

Referring to my Dispatch No.162, of the 27th ultimo, in relation to the resignation of the Japanese Cabinet, with two exceptions, supposed to have taken place on June 25th, I have the honor to inform you that such resignation took place on the date named and that on the 27th ultimo Count Okuma and Count Itagaki were summoned before the Emperor and instructed to form a new Cabinet, except as to the Ministers for War and Navy, with Count Okuma as Minister President of State.

The selection of men to compose the new Cabinet was promptly made, and on the 30th ultimo their names were announced in the Official Gazette to be as follows:

Count Okuma Minister President of State and Minister for Foreign Affairs.

Count Itagaki Minister for Home Affairs.

Mr.M.Matsuda Minister for Finance.

Mr.G.Ohigashi Minister for Justice.

MR.Y.Hayashi Minister for Communications.

MR.M.Oïshi Minister for Agriculture and Commerce.

MR.Y.Ozaki Minister for Education.

Marquis Saigo Minister for the Navy.

Viscount

Viscount Katsura Minister for War.

The last two Ministers retain the portfolios held by them under the Ito Cabinet just disorganized.

Marquis Ito, late Minister President of State, has won the gratitude of many of his opponents, and especially that of Count Okuma and Count Itagaki, for his magnanimity and the interest he has manifested in the welfare of the Government by advising the Emperor to entrust the formation of the new Cabinet to Counts Okuma and Itagaki, and also for the assistance given them by him in accomplishing it.

Both Counts Okuma and Itagaki in public speeches have announced their great indebtedness to Marquis Ito for the valuable services rendered by him by the attitude he took, not only in the organization of the new Cabinet, with his late opponent Count Okuma at the head, but also for the great influence of the Marquis in preventing opposition on the part of hi his partisans.

Immediately upon the dissolution of the late Diet it was claimed and it was generally believed that the Marquis was intending to rally his supporters and by the formation of a new party to meet and defeat, if possible, the combination of the forces under the leadership of Counts Okuma and Itagaki, who had united in forming the Kenseito(Constitutional Party) by bringing together the Liberals and the Progressives. These consolidated elements presented a formidable opposition to Ito and his Cabinet and had promised in the coming election to obtain control of the Lower House of the Diet; and it was expected that Ito and his Cabinet, instead of resigning, would remain in office, and, with the Marquis's great influence among the

people

people contend for the mastery by obtaining a majority in the next Diet, at the coming elections.

The Marquis's resignation with that of most of his colleagues in the Government, and his subsequent course in support of a new Government are regarded as putting country before party——preventing a struggle detrimental to the interests of the Empire.

No Proclamation by the Emperor has yet been issued fixing the date for the election of members of a new House, but it is expected soon. I am informed that the elections will probably take place in late in August.

It may be proper for me to state that Count Okuma, in becoming Minister for Foreign Affairs again, expressed a warm friendship for the United States; and that my relations with him, as before, are very agreeable.

I have the honor to be,

Sir,

Your obedient servant,



No. 164.

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REC'D.
30 JUL 1898
DEPT. OF STATE

DIPLOMATIC,
JUL 30 1898
BUREAU.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Confirming the Department's telegraphic instruction of date June 30th 1898, announcing the establishment of a blockade of south coast of Cuba, Cape Francis to Cape Cruz, and of San Juan, Porto Rico.

No. 164.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to acknowledge the receipt of the Department's telegraphic instruction of date the 30th ultimo, confirmed on the overleaf, informing me that the President, by a Proclamation dated June 27th announced the blockade of all the ports on the south coast of Cuba from Cape Francis to Cape Cruz, inclusive, and also of San Juan in Porto Rico, in addition to the ports specified in the Proclamation of April 22nd.

I immediately notified the Japanese Minister for Foreign Affairs in a note of date the Ist instant, copy of which I have the honor to enclose herewith.

I have the honor to be,

Sir,

Your obedient servant,

W. E. Buck

Enclosure:

Copy of Mr. Buck's note to the Minister for Foreign Affair of date July Ist, 1898, as above.

Telegram received.

Washington, 30, 6, I898.

"Buck,

"American Legation, Tokyo,

"In addition to blockade of ports specified in his "Proclamation of April 22,I898,President by Proclamation dated "June Twenty-seventh announces blockade of all the ports on the "south coast of Cuba from Cape Francis to Cape Cruz inclusive; "also San Juan,Porto Rico. Notify Minister for Foreign Affair

"Moore, Acting."

Enclosure with Mr.Buck's No.164 of date July 6th, I898.

(Copy)

No.80., LEGATION OF THE UNITED STATES,

Tokyo, Japan, July I, I898.

His Excellency

Count Okuma Shigenobu,

His Imperial Japanese Majesty's

Minister for Foreign Affairs.

Sir:

In compliance with telegraphic instructions received from my Government, I have the honor to convey to Your Excellency the information that, in addition to the blockade of the ports specified by the President in his Proclamation of April 22nd last, of which Your Excellency's Government was advised by my note of April 23d last, the President, by a Proclamation dated the 27th ultimo, has announced a blockade of all ports on the south coast of Cuba from Cape Francis to Cape Cruz; including also San Juan, Porto Rico.

I avail myself of this occasion to renew to Your Excellency the assurances of my highest consideration.

(Signed) A.E.Buck.

DIPLOMATIC
AUG 4 1898
BUREAU.

INDEX BUREAU
REC'D.
30 JUL 1898
DEPT. OF STATE

Secretary of State.
AUG 2 1898

2D ASSISTANT SECRETARY,
Acts by subject as
read with attention.
AUG 4 1898

No. 165.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

Rec'd Aug 6/98

Mr. Buck

to the Secretary of State.

Subject:

Japan's friendly attitude to the United States with a view to the latter's holding the Philippines.

No. 165.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 6, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington:

Sir:

I have the honor to state that the Government as well as the press of Japan continue to express a friendship for the United States; and no disfavor is expressed, so far as I can learn, in consequence of our operations in the Philippines. Though it is well understood that Japan would like to have the Philippine Islands added to her possessions, and high officials of the Government do not disguise their desire in that direction yet, so far as I have observed, there is no expression either on the part of the Government or in their newspapers in opposition to the United States' taking those islands and holding them, if our people so desire. It seems to be the feeling among the Japanese generally that they would rather the United States should hold and govern those islands than that any other nation other than their own, should possess them.

I enclose two editorials cut from the editions of June 24th and July 4th of the Yorodzu Choho, a newspaper published in part in English by Japanese, as expressive of the general sentiment of the people here in respect to the United States and its policy so far as I am able to discern them.

I

I have the honor to be,

Sir,

Your obedient servant,

Enclosure:

Duplicate clippings from the Yorodzu Chobo, as above.

THE YORODZU CHOHO.

English Department—No 751.

TOKYO, FRIDAY JUNE 21TH 1898.

AMERICAN ANNEXATION OF HAWAII.

A REUTER'S special telegram to the *Japan Times* dated June 17th reports that the Washington House of Representatives has passed a resolution for annexing Hawaii. This was subsequently confirmed by an official report to the same effect from Mr. Hoshi, Japanese Minister to Washington. It is further reported that a strong feeling was expressed by the legislative body in favour of seizing and retaining the Philippines, Cuba, and Puerto Rico. From these reports we may conclude that the American public opinion runs high for a new departure from the traditional policy of non-interference in the politics of the world. It goes then almost without saying that the American Senate will share the view of the House of Representatives concerning the annexation of Hawaii. President McKinley will promptly sanction the resolution arrived at by both Houses and "the Paradice of the Pacific" will come under the protection of the Stars and Stripes in very near future.

We have no reason whatever to object to the probable proceeding of the great Republic. On the contrary, we would very much like to see Hawaii in the hands of the Americans. If Japan has any ulterior design of seizing the sunny islands in the Pacific, well she may dislike their being made a territory of America. We believe few persons entertain at present such an absurd idea, and if even Japan wishes to possess Hawaii, how she can realize her wish? She lacks money; her navy and army are not as yet powerful enough to assert her honour and rights even in her immediate neighbourhood. The present is for her the time to look only after her own affairs, to endeavour to recover from the unhealthy state of affairs as quickly as possible to try hard to open her resources as much as possible. To dream of territorial aggrandizement at such a time is as foolish as to wish to get the possession of the moon.

The annexation of Hawaii by America does not in the least affect our interest. Nay, it can be said that it is good for our interest. Should Hawaii remain independent, there is a fear that before long the islands would become a bone of contention among the aggressive powers of Europe and another disturbance of "the balance of power" would occur. Russia will not dislike to retain them and Germany would especially want them. Think of the danger our Empire should be placed in, when they would have come into the hands of whichever power of the two, and then you will thank heaven that they are jealously watched over by our good neighbour, Mr. Jonathan. He will after the War arm himself to the teeth, and then no one can venture to pluck his beard with impunity. Hawaii in his hands would cause no trouble to us, and Mr. Jonathan is of all the nations the most kindhearted, justice-loving man. Unless we should act unjustly towards him, he will not despatch gunboats against us.

For the reasons above stated, we hope the Americans will keep the Philippines too.

THE FOURTH OF JULY.

TO-DAY is the FOURTH OF JULY. The greatest day for the people of North America, it is also a red letter day for the people of the world. With heart and soul the Americans celebrate this day, but with no less ardour we too rejoice its annual return. On this day, one hundred twenty-three years ago, Liberty first shed her glorious rays upon the Thirteen States of North America. On this day, the DECLARATION OF INDEPENDENCE of people whose government shall be by the people for the people was issued. On this day, a champion nation for cause of Liberty was born. The Americans may well be proud of this memorable day, but we Japanese, as a member of humanity that loves Liberty, have rights to welcome the advent of the FOURTH OF JULY.

History shows that the world is progressing towards the ideal goal of Liberty. Before the great Republic of North America was established the progress of Liberty had been rather slow. Since then she has progressed with quicker and steadier paces. To-day she progresses with a giant's strides. Before her all the elements of tyranny and despotism give way and it seems as if the ideal goal is not afar.

Twenty centuries ago, Liberty first set out from Greece on her toilsome and struggling journey. She has had many a hardship to encounter. Her travelling expenses she has found in blood, and how freely she has spent it in her journey! On her way, she has had to meet with many a horrid monster who strove to check her march and in vanquishing them she had to shed immense blood. On her way, lay many a perilous pass and ford, and in crossing them she had to pay the poll with immeasurable blood Cæsars, Napoleons, superstition, conventionalism, selfishness and hypocrisy all united their force to drive back our bearer of thousand blessings, but the way was cleared with blood and Liberty progressed on and on.

At the outset, however, the progress of Liberty was difficult and slow. She crawled at first. From Persia came Xerxes and with his mighty army he almost gave her a fatal blow. In the latter days of Rome, she was on the point of death, and for long winter days of dark age she almost disappeared from the surface of the Globe. Then she re-appeared and this time she began to walk. She fought in the mountains of Switzerland; she engaged in a life or death struggle in Germany; she went to Holland and drove back the despotic rule of Spain; she stormed the Bastile. In England she extorted Magna Charta and won Crecy and Agincourt. Still she was oppressed and she sailed on board the *Mayflower* to the New World.

In the New World, Liberty has made a remarkable development. She who had been walking in the Old World, has began to run in the New. On the FOURTH OF JULY, 1776, she started on her errand. Her journey was perilous, but success crowned her. To-day the GREAT REPUPLIC OF NORTH AMERICA is the most progressive, free and just nation in the world.

The FOURTH OF JULY of this year is to be specially celebrated. America is free, and enjoying and knowing the blessings of freedom, she can not look over the misery of her oppressed neighbour. She has entered in a war of liberation, and her noble enterprise is now almost accomplished. The FOURTH OF JULY is the birthday of this just nation, whose mission is liberation and who is capable of fulfiling her mission. For this reason, we feel happy on the advent of this memorable day. Long live, America! Long live, the Land of Liberty!

Enclosure with Mr Bucks No 165, of date July 6th, 1898.

No. 166.

INDEX BUREAU
REC'D.
8 AUG 1898
DEPT. OF STATE

DIPLOMATIC
AUG 9 1898
BUREAU.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

Aclvd Aug. 10/98

COPIED. FOREIGN RELATIONS.

Mr. Buck

to the Secretary of State.

Subject:

Forwarding a Memorial to the President from American citizens resident at Kobe, calling attention to possible disadvantages to foreigners under new treaties.

No. 166.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

To the Honorable William R.Day,
Secretary of State,
Washington.

Sir:

I have the honor to transmit herewith a Memorial of American citizens at Kobe, addressed to the President ; also a copy of a joint letter to the President from the "Chairman of "the American Memorial Committee" and the "Secretary of the "International Memorial Committee of Kobe"; also a copy of a report made to the Chairman of the International Committee by the Director of the International Hospital of Kobe relative to a visit of inspection made by him to the Hiogo Prefectural Prison; together with a copy of a joint letter to me from the President and Secretary of the Committees above mentioned, accompanied by a copy of a letter of transmittal from Samuel S. Lyon, esquire, United States Consul at Kobe.

These papers relate to matters of complaint touching "land "tenure" in Japan, the "existence of foreign newspapers" under the Revised Treaty soon to go into effect, and the conduct of the legal authorities under the Code of Criminal Procedure as to the bail of prisoners, the condition of Japanese prisons, and the hardship and distress that will be incident to foreigners

ers confined in Japanese prisons as now conducted; and asking that influence be brought to bear by our Government, through diplomatic intercession, to obtain amendments of the treaty to correct the evils existing and those to be apprehended after the revised treaty goes into operation.

Though recognizing as I do the force of the facts set forth in the Memorial, and believing that the fears of our citizens at Kobe are to some degree well founded, yet I do not think that at this time it is wise to make any attempt to obtain additional treaty stipulations from the Japanese Government for further concessions of rights and privileges to our citizens.

In respect to some of these complaints, they are concerning matters which the Courts, under the new codes, may determine more to the satisfaction of our people living in Japan than they now anticipate. As regards others, the Government itself may make changes which will be more satisfactory before the time arrives for the operation of the revised treaties.

As to the matter of land tenure and the existence of foreign newspapers, the Government and the Courts may so interpret the law as largely to remove any cause of complaint. There has been considerable controversy between the newspapers in respect to what interpretation should be put upon certain provisions of the code touching the rights of parties as to the term of years for which property can be held under a contract for use of the superficies and under an emphyteusis (lease), as well as to the exact rights and privileges the lessee may acquire under the law in the use of property. The duration of a lease, in cases of controversy to be determined by the Court, may be for twenty to fifty years according to its character;

and

and under the treaty and the code, Article 2, providing that, "Foreigners enjoy private rights except as prohibited by law, regulation, or treaty", it would seem that no discrimination could legally be made against foreigners in that respect. Except then as to actual ownership of land by foreigners, not now allowed by law, or guaranteed by treaty, the Japanese Courts are supposed to mete out justice to foreigners and natives alike. Whatever belief there may be that injustice will be done to foreigners in the administration of the law and treaty in respect to land tenure, time will soon show whether it be well founded. It is believed by many that, in the near future the law will be so changed as to permit the actual ownership by foreigners of real estate in Japan.

While there is some apprehension that the Japanese Government may hold that newspapers, owned, conducted and published by foreigners shall not continue to exist, on the ground, perhaps, that such ownership and publication are not wholly within the limits of private rights granted by law and treaty, yet the opinion of many foreigners of long residence here and well informed in respect to the spirit and purpose of the Japanese Government with reference to foreigners seems to be confident that such newspapers will continue to be published, as they now are, without any attempt to harass or suppress them.

Of late there has been much discussion in the vernacular and foreign newspapers upon the subject of the treatment that foreigners in Japanese prisons may expect, and there is doubt whether foreign prisoners will be kept in such prisons subject to the same accomodations, food and in other respects, as the native prisoners, or whether they will be confined apart from

the

the Japanese prisoners with different accomodations, food etc.

In a conversation on the subject which I have recently had with the Vice-Minister for Foreign Affairs I learned that the Government is giving attention to the matters of the treatment to be given to foreign prisoners . To the suggestion by me that perhaps it would be well to make use of the jails of the foreign powers in the open ports for the confinement of foreign prisoners , he agreed that it was perhaps the best thing to do and stated that he thought it could be done.

I learned that, some time before my arrival here, a council was formed termed "The Revised Treaty Operation " Investigation Council" ,.with Prince Konoye, then President of the House of Peers , at its head to determine upon, among other matters, the question "Is there any necessity for af- " fording different treatment to foreigners , owing to differ- " ence in their customs and manners , in case they are detain- " ed in Japanese prisons for criminal offences after the en- " forcement of the revised treaties ? If such necessity ex- " ists, how is it to be dealt with?" , and to make such recommendations to the Diet as , in its wisdom, might be necessary. That Council has not yet made its report but is still in existence and is expected to report to the next Diet.

The Yokohama General Chamber of Commerce (foreign),have had a committee appointed by that body to investigate Japanese prisons with a view to ascertain and report upon what changes and improvements, if any, should be suggested for the proper treatment of foreign prisoners and I have no doubt but that the conclusions of this committee will have some weight with the Japanese Government.

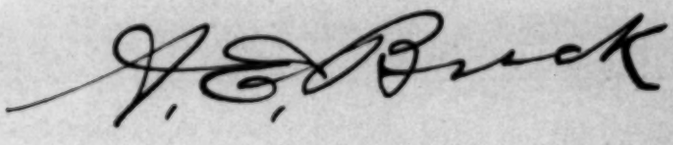
It

It may be proper for me to add in this connection that it is to be supposed that, in adopting the revised treaties, all points were taken into consideration by the Governments of both countries, so far as these could be foreseen and considered, touching the rights and privileges of United States citizens in Japan; and that whatever in these respects may be found to require more specific declaration, on the revised treaties being put into operation, can be better known and more properly considered by our Government than now.

I have the honor to be,

Sir,

Your obedient servant,



Enclosures:

No.I. Memorial to the President.

No.2. Joint letter to the President dated July I, I898, from J.S.Happer, Esquire.

No. 3. Report of Director of International Hospital, Kobe.

No.4. Copy , Mr. Happer to Mr. Buck, of date July Ist.

No.5. Copy, Mr. Lyon to Mr. Buck, of date July 5th, forwarding correspondence.

To the

PRESIDENT OF THE UNITED STATES OF AMERICA.

MR. PRESIDENT:—

Your memorialists, Citizens of the United States resident in Japan, would respectfully direct the attention of their Government to certain matters of urgent public importance in view of the coming into operation on July 16th, 1899, of the Treaty signed with Japan on November 22nd, 1894. Before dealing with certain defects and omissions in that Treaty which materially affect their interests, both as regards their business and their private life, your memorialists wish it to be distinctly understood that they are not attacking or deprecating the principle of "equity and mutual benefit" upon which the Treaty is avowedly based. What they complain of is that in certain important respects the equity is wanting, and the benefit extremely one-sided.

These defects are especially conspicuous in the matter of land-tenure. In the majority of the States in the Union, a Japanese can purchase as much real estate as comes into the market. He is in a similar advantageous position in Great Britain and in European countries with the exception of Russian Poland. But neither a citizen of the United States nor any other foreigner resident in Japan can purchase and own a single rood of Japanese soil. Your memorialists respectfully submit that this is a serious departure from the principle of "equity and mutual benefit," and that it practically nullifies the advantages nominally extended by the terms of this Treaty in exchange for the surrender by the Treaty Powers of extra-territoriality.

It is provided in the Treaty that citizens of the United States "may . . . lease land for residential and commercial purposes." But by the new Codes which are shortly to come into operation the period for which land may be leased is limited to twenty years (Section VII., Paragraph 604), and it is absurd to suppose that citizens of the United States will attempt to build workshops for carrying on a manufacturing business on land which at the expiration of that time may pass out of their hands or be subject to such an increase of rent that business would be rendered impossible. If it is replied that the Japanese owners of the land would not be likely to drive out good tenants by the imposition of a rack rent, your memorialists would point out that in many cases it would be distinctly to the advantage of Japanese landowners to adopt such a policy, as they would thus be enabled to acquire for a very small sum the buildings and machinery for carrying on the business established on such insecure conditions. Unfortunately, too, the very low standard of commercial morality prevailing in this country (*vide* "A Report comparing the Foreign Trade of Japan, etc.," by Consul J. F. Connelly, dated February 27th, 1897) suggests that such methods would be by no means uncommon.

Further, in the event of a foreigner leasing land from a Japanese and afterwards being desirous of assigning his lease to another foreigner for the unexpired portion of the term, the authorities refuse to register such assignment without the written consent of the Japanese landlord, who must attend the ceremony of transfer and must produce the counterpart of the original lease for endorsement and sealing by the proper officer. And this is so although the lease is to a foreigner "and his assigns." For instance, say that A, a citizen of the United States, obtains a lease for twenty-five years of a lot of land in the zone of mixed residence, and builds a house on it, and ten years later desires to sell it to B, another citizen of the United States, he cannot do so without the consent of the Japanese ground landlord, who in many instances has, without giving any reasons, declined to consent. In fact, in some instances where the value of the property has appreciated, the landlord has instituted legal proceedings for ejectment of the assignee of the lease on the ground that his consent had not been previously obtained.

Definite diplomatic stipulations form the only safeguard upon which foreigners can rely, and to be effective they must be vigilantly enforced. It is only too certain that the Japanese Government has not hitherto kept strictly to its engagements in the matter of the tenure of land by foreigners. When the port of Hiogo (Kobe) was opened to foreign trade in 1868, an agreement was concluded between the Imperial Government and the Foreign Representatives for leasing land and renting or buying houses within what is called *zakkyochi* or the mixed residence zone. This agreement was ultimately published in the form of a letter to the Consuls by Mr. Ito Shunske (now Marquis Ito), who was then Governor of Hiogo, and it states that "Foreigners and Japanese may hereafter make agreements between themselves and *at their own convenience* for leasing land or houses at this port,"—within certain limits,—all such agreements having to be reported by the respective parties "to the Japanese authorities and to the Consul of the nation concerned, in order that the agreement may be sealed and registered as a proof of validity." This agreement had absolutely the character and the value of a diplomatic instrument. Yet sixteen years later, in 1884, without any communication with or notification of the Foreign Consuls or Diplomatic Representatives, the Japanese Government secretly issued instructions to the prefectural authorities wherein the duration of leases—which foreigners and Japanese were by diplomatic instrument permitted to make "at their own convenience"—was limited to twenty-five years, and a penalty both of fine and imprisonment imposed on Japanese subjects for any infraction of the regulation.

Your memorialists understand that these facts are already more or less known to the Government of the United States, and they are recited here simply as showing that citizens of the United States have good grounds for fearing that the discrimination which has been exercised against them in the past may be exercised against them in the future unless their rights in the matter of land tenure are clearly defined. It appears that the new Codes, which must be in operation for one year before the new Treaty comes into force, contain certain provisions relating to superficies by which it is claimed that foreigners by arrangement with Japanese landowners and by mutual convenience can acquire what will be practically tenures in fee simple for periods of any duration; but examination of the said provisions shows them to be of such a vague and inconclusive nature that it is extremely doubtful what view a Japanese Law Court would take of them and whether foreigners would derive any advantage therefrom. Certainly no foreigner would be likely to invest capital on such insecure conditions. It therefore comes to this, that instead of the new Treaty improving the position of foreigners with respect to the tenure of land, it actually, by reason of its indefinite wording, makes their position worse, for while it has hitherto been possible to lease land for terms of twenty-five years, the new Code now published definitely limits the term to twenty years. It is presumed that such a result was not for a moment foreseen by the United States plenipotentiary when the Treaty was negotiated.

Your memorialists believe that if the Japanese Government were now approached on this matter, it would not be averse to amending the Treaty in the direction of granting rights of land tenure of a more liberal character than those [illegible] the present instrument. When the United [illegible]

the present instrument. When the United States Japanese Treaty was under negotiation, there was undoubtedly a very strong feeling among Japanese against granting land owning rights to foreigners. Within the last few months, however, a complete change has come over Japanese opinion on this question. It has become evident to the Japanese that if they wish for the introduction of the foreign capital which is so necessary for the development of their industries and commerce, such can only be secured by allowing foreigners to own land on precisely the same terms as the Japanese themselves. The mercantile and industrial classes are rapidly becoming unanimous in this opinion, and your memorialists therefore believe that if the Japanese Government were now applied to, the concession which citizens of the United States consider should be theirs by right of equity will very easily be obtained. Your memorialists urge this, in the words of the Treaty, on principles of "equity and mutual benefit." Without this concession, the other concessions of the Treaty as to rights of manufacture and trade in any part of the Japanese Empire are rendered null and void, and your memorialists will be in the position of seeing the extremely important rights of extra-terrioriality abandoned without receiving any compensating advantages.

In the second place there is the question of the existence of foreign newspapers after the new Treaty comes into force. With one exception foreign newspapers published in Japan are owned by aliens, and your memorialists hold that citizens of the United States are under the terms of the Treaty as much entitled to carry on a newspaper as any other business. But the Japanese Press Law contains a clause that none but Japanese subjects shall be allowed to own, edit or publish a newspaper in Japan, and though this Law was revised last year, neither the Government nor any member of the Diet proposed that this clause should be dropped in view of the impending operation of the new Treaty. Exactly the same course, in fact, was adopted as in the case of the Raw Silk Export Law, which, in direct defiance of the terms of the Treaties, proposes to pay, to Japanese exporters exclusively, bounties on the export of raw silk. It is understood that, in consequence of the attention directed to this question by the foreign press, this Law will be repealed before it comes into operation, but nothing has yet been heard of any intention to repeal the obnoxious clause in the Press Law. A Japanese semi-official journal has recently claimed that the Japanese Government will possess the right to refuse to foreigners the liberty to publish newspapers if it should see fit, but that the Japanese Government is not likely to use such power. Your memorialists, on the other hand, claim that by the terms of the new Treaty foreigners will be able as of right to publish newspapers, of course conforming themselves in all matters of procedure to the regulations imposed on Japanese newspapers by the Press Law. Under the present liberal-minded Ministry, that of Marquis Ito, they do not believe that any attempt will be made to discriminate against foreigners in this matter, but the present Ministry may not be in power when the new Treaty comes into operation, and your memorialsts would respectfully urge that, to prevent the matter being left in doubt, His Imperial Majesty's Government should be urged to rescind the objectionable clause in the Press Law without delay. Your memorialists beg to point out that it is of essential importance to the business carried on by citizens of the United States in Japan that they should have the assistance of newspapers published in their own language, and that no injustice can accrue to the Japanese by a recognition of this right, seeing that all connected with a foreign newspaper will be subject to the very stringent Press Law of Japan.

But over and above all this, which simply affects their commercial and tradal interests, your memorialists would further direct the attention of the Government of the United States to two matters of the gravest importance, affecting not only their liberties but their lives. They refer to the respective questions of bail in Japan and of the condition of Japanese prisons. In July 1899 citizens of the United States will lose the privilege of extra-territoriality which has been enjoyed for forty years, ever since Japan was opened to foreigners, and will become subject to Japanese law. By reason of her progress during the last thirty years, Japan may conceive herself entitled to demand this concession, and the Government of the United States may be justified in granting it. Even assuming that this matter has been decided beyond the possibility of recall, your memorialists would respectfully urge that they are entitled to be protected against harmful and perhaps fatal consequences to some of their number due to the difficulty of obtaining bail and to the condition and administration of Japanese prisons and laws.

The Japanese Code of Criminal Procedure contains a whole chapter devoted to the question of bail, and to read this chapter it might be thought as easy to obtain bail in Japan as in the United States. In practice, however, it is not so. It is only in the rarest cases and with the greatest difficulty that bail is ever secured in Japan. The practice is to arrest a man and keep him in prison under repeated private examination, at which his advocate is not allowed to be present, until he is brought up for public trial and either condemned or acquitted. The Judge has the power to order an accused person under examination to be subjected to solitary confinement for periods not exceeding ten days,—during which his advocate, relatives and friends are denied all access to him,—avowedly in the interests of justice, but practically with the object of making the prisoner confess. Cases are frequent in which accused persons are kept in prison for thirty, fifty, a hundred days, even for twelve months, denied bail all this time, and then finally acquitted. And their treatment during this period, if they are friendless, is to all intents and purposes that of convicted prisoners. If they have friends, they can be supplied with food and clothing from outside the jail; if not, they must put up with prison fare.

A case which has recently been made public will afford the best illustration of the dangers to which citizens of the United States will be exposed when they come under Japanese law. A respectable Japanese named D——, bearing a good reputation, was arrested upon a charge of being implicated in certain frauds. He was at once taken to the prison and placed in one of the cells for unconvicted prisoners. This was a room 9 by 12 ft., from which must be deducted the space occupied by a privy and a tub for purposes of ablution. Upright battens from an inch to two inches apart formed the end of the cell facing a corridor, which was patrolled by the warders. Along the further side of the corridor were the usual paper *shoji*, or windows, through which the winter wind blew with keenness. There were no means whatever of warming the cell. Upon the floor was thin straw matting. In this cell during D——'s imprisonment eight or nine persons were frequently placed, all these persons being unconvicted. So crowded was the cell at times that when night came the prisoners had difficulty in getting room enough to lie down at full length. Coolies with the itch and covered with sores were among the prisoners who were thrust in to share the apartment of the unconvicted prisoners—some of these being men accustomed to a certain amount of luxury, others at least to cleanliness. As already stated, the privy and the lavatory (a simple tub of water) were in the same cell, divided therefrom by a partition three feet high, and, together with the crowding of eight or nine persons, some of extremely dirty habits, produced a sickening stench. Such was D——'s experience in winter; it is, as your memorialists have ascertained from others, much worse in summer, when there is added the torment of mosquitoes and of the vermin brought in by the dirtier prisoners.

As soon as D—— was taken to the prison, he was told to remove his clothes and put on prison garb, unconvicted though he was. His own clothes were taken away from him to be searched and were not returned until the following day. Meanwhile he had to wear a scanty thin cotton loose garment—scarcely enough to cover even a Japanese frame—which constitutes the prison garb, and he was given a thin *futon*, or cotton quilt, with which to protect himself at night as he lay on the boards. Food was served three times a day. It consisted on each occasion of imperfectly boiled barley mixed with a little rice and a small piece of *daikon* (the Japanese radish), also a little *miso* (bean sauce). With this was provided a little warm water to quench thirst, and this water on several occasions had such an offensive smell that it was impossible to drink it. On the second day D—— 's clothes were returned to him, and on the third day his friends were permitted to send in some bedding and also food. So wretched and inadequate was the food supplied that D—— believes he would have died if he had not had friends to supplement it with supplies from outside. D—— was in prison for 7 days before he was examined, or had any opportunity of showing that he was innocent of the charge brought against him. After the one examination to which he was subjected, he heard nothing whatever until his release. Altogether he was in prison, under the conditions described, for 47 days, every offer of bail by substantial persons being refused. Such is a plain statement of what is possible—what has actually happened and is happening every day—under Japanese law and prison administration.

In relating the circumstances of this man's imprisonment, which they have on the very best authority, your memorialists would point out that such circumstances are by no means exceptional. They did not occur at some small prison in the interior, but at a prison situated at one of the largest and most important of the Treaty ports.

Another case which has come to their knowledge was that of a man imprisoned during the summer, who was so terribly bitten by bugs and other vermin infesting the prison woodwork that his body swelled up and his face was so disfigured that his friends scarcely recognised him. Only a few weeks ago a man suffering from lung disease was arrested and taken, ill as he was, to the Kobe prison, and refused bail; he lingered a fortnight and then died in the jail. Within the last two or three months a man and his wife, accused of a comparatively trivial offence against local regulations, were arrested and taken to prison; examined by the police on the first day, brought before a judge on the third day, left without any further examination for fifty days, then placed on their trial and acquitted, but detained for two days longer in case

[illegible] committed for fifty days, then placed on their trial and acquitted, but detained for two days longer in case the Public Procurator should enter an appeal. Thus these two persons, for an offence which if proved would have entailed a sentence probably not exceeding a month in duration, were actually detained in prison for two months and then declared innocent. Pages could be covered with similar cases, but these will suffice to show that the apprehensions of foreign residents as to what is likely to occur when they come under Japanese law are not without cause.

Considerable discussion has taken place in the Japanese press during the last few months as to whether special treatment should be accorded foreigners in the prisons, and much difference of opinion has been expressed, some of the journals being strongly opposed to any discrimination being made. Your memorialists respectfully submit to the Government of the United States that this is a matter of very grave and serious moment, likely to lead to vexatious complications as soon as foreigners come under Japanese law, and certain, if left unsettled, to imperil the amicable relations subsisting between the Government of the United States and that of His Imperial Japanese Majesty. They have no hesitation in saying that to imprison citizens of the United States under the conditions prevailing in Japanese jails, the cells of which are absolutely unwarmed in winter, being in many cases barred dens resembling nothing so much as those in which wild animals are kept, the clothing insufficient, and the food such as few, if any, foreigners can digest, will be for many literally a sentence of death. Only a few weeks ago the vernacular papers reported that fifty Japanese in the Saga prison had been frost-bitten, and if this is possible with Japanese who are accustomed in winter to houses unwarmed by artificial heat, it may readily be imagined that foreigners simply could not survive under such conditions. At Poronai, in the Hokkaido, where the thermometer frequently marks 16 degrees of frost, the prisons are constructed in the same way as in Southern Japan, being merely cells with bars, quite open to the air.

Besides the practical impossibility of obtaining bail, which would lead to the incarceration of many who are innocent of any crime, it must be remembered that, while crimes of violence are regarded with lenity and punished with nominal sentences, Japanese law provides imprisonment for many trivial offences which in the United States would be purged by a small fine. For allowing his house to be used for opium smoking, a Chinese was recently sentenced to three years' imprisonment, while two coolies who caused the death of an American man-of-war's man named Epps in Nagasaki harbour a few months ago were merely ordered to pay fines of 100 yen and 50 yen respectively. Gambling of all descriptions is punishable by heavy penalties, and it may easily happen that a small party of tourists discovered playing a game of cards for money will be removed to jail and sentenced to terms of imprisonment under the conditions described for what in other countries would be regarded as a crime punishable at the utmost by a fine. That is to say, they would be in danger of losing their lives or suffering lifelong ill health for what at most is a self-regarding offence.

Your memorialists hope that they will not be regarded as exceeding their province if they make one or two practical suggestions with a view to the negotiation of a compromise. As the existing prisons are utterly unfitted for the reception of foreigners charged with any offence, they would suggest that at each of the present Treaty ports a building should be constructed for the reception of unconvicted foreign prisoners and the incarceration of those who are convicted. Such prisons should be modelled on those of Western countries, and the food should be such as foreigners are accustomed to eat and should be prepared under foreign superintendence. (It may be pointed out that the limit of expense for the food of prisoners ranges from about 2¼ to 4 cents per day, and it may be easily estimated that with this allowance not much foreign food could be purchased, however willing the prison authorities might be.) While such special prisons could be placed wholly under the control of Japanese, the Foreign Consuls should be able to enter and inspect them at any time, to receive complaints, and to give directions as to food and treatment, without requiring any authorisation or permit from the Japanese Government or local authority. A difficulty which will probably be suggested is that when the new Treaties come into force, and mixed residence is permitted, foreigners will to some extent tend to be distributed over the country instead of being collected at the Treaty ports. But the difficulty should be by no means insuperable. In the first place, it is extremely improbable that for some years to come the rights as to residence in the interior will be largely availed of, seeing that the channels into which trade has drifted in Japan will not be readily abandoned. In the second place, the Japanese Government might fairly be asked under the circumstances to give an undertaking that all foreigners arrested in the interior should be brought to the nearest Treaty Port at the earliest possible opportunity, there to be examined and tried, and if convicted, committed to serve their sentence in the prison reserved for foreigners.

Your memorialists desire respectfully to point out that such a scheme might be expected to commend itself to the Japanese Government as well as to the Treaty Powers, for it must be to the interests of the former equally with the latter that everything likely to result in friction when the new Treaties come into operation should be avoided. If the Japanese Government refuses to make these concessions, then your memorialists respectfully submit that the Government of the United States would be justified in refusing to receive the year's notice which must be given by the Japanese Government before the new Treaty can come into operation. They admit that this would be a step that could only be taken in the last resort, but they respectfully submit that the Government of the United States would be justified in taking such action in defence of the lives and liberties of its citizens in Japan. Indeed, refusal to grant such a concession as that here suggested could, it seems to them, only be interpreted as indicating that the Japanese Government was deliberately determined to adopt a policy aiming at driving the citizens of the United States and foreigners in general out of the country, causing them to abandon their business and the trade which they have built up under the protection of extra-territoriality, and thus securing to the Japanese the fruits of foreign industry. Your memorialists refuse to believe that such an unjust and iniquitous policy is contemplated by the Japanese Government, and they therefore hold that it only needs that attention should be directed to the question by the Government of the United States in order to secure from the Government of His Imperial Japanese Majesty the concessions which will do much to minimise the friction likely to result when the new Treaty comes into operation. In conclusion, your memorialists hope that if they have spoken strongly on this matter, the importance of the issues at stake will not be lost sight of. They speak not only for themselves, but for their wives and children, to whom committal to a Japanese prison as at present constituted *on suspicion* of offending against the laws, and possibly by the denunciation of some hidden enemy, would veritably prove a sentence of death.

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J. L. Hopper.
F. S. Monroe.
G. E. Barto.
E. W. Silden
Geo. Cerry
Geo. Flood
Charles Crowther.
E. T. Sargent
G. B. Peck
Justin Briggs
C. R. Morse
L. C. Putnam
D. J. Sargent.
Herbert S. Mueller
Chas. Albertson.
E. L. Smith
Malcolm McKenzie
Chandler Gibbons
W. W. Beauchamp.
Paul A. Dithlefsen
W. O. Reiploy
J. Pollard Crowther
H. Bahenkeim
Eugene Hull
F. Montgomery

Mont Ferebee

Cameron Johnson.

J. N. Boyd.

O. D. Jerauld.

Arthur. G. Boyer.

A. J. McClear

E. G. Ackermann.

H. C. Temple

A. H. Whiteley

L. W. Wainright

am dorbo

F. A. Zieber.

J. L. Atkinson.

Robt. S. Folsom.

R. E. McAlpine

F. H. Olmsted

F. W. Loring

A. J. Thomas

Jas. N. Jameson

Thos. H. Haden.

A. E. McGlew

W. E. Dodson.

Johnsingfield

Chas. A. Schrott

M. J. Shea

Kobe (Hiogo-Osaka) Japan.
July 1st 1898.

To
The President of the United States of America.
Mr. President:-

I have the honor to forward to you a Memorial signed with practical unanimity by citizens of the United States residing at or in the vicinity of the treaty port Kobe, (Hiogo-Osaka) Japan, asking the Government of the United States to obtain for them certain safe-gaurds which they consider necessary under the New Treaty between the United States of America and Japan; such safegaurds they consider especially necessary with regard to questions connected with: Land Tenure, Press Laws and Prison Regulations, for unless some definite diplomatic gaurantees are secured, your memorialists have grave reasons for apprehension that serious injustice will ensue, and possibly their lives and the lives of their families be endangered.

I have further the honor to call your attention to the accompanying Medical Report on the Japanese prison at this port, which speaks eloquently as to the inadequate preparation so far made for the

treatment

treatment of Europeans and Americans
who will, under the present difficulties
as to obtaining bail, be detained
there, not only during sentence but
on false accusation or the merest
suspicion of guilt, and before trial.

I have the honor to be, Mr. President,
Your most obedient servant,
Hopper

Chairman American Memorial Committee.
Hon. Sec. International Memorial Committee.

KOBE, JAPAN,
May 9th, 1898.

W. GROOM, Esq.,
Chairman,
International Memorial Committee.

SIR,

At your suggestion I have the honour to place before your Committee a short account of a visit I paid on Monday, February 28th, to the Hiogo Prefectural Prison. I was accompanied by a Member of the Foreign Municipal Council and the Editor of the *Kobe Chronicle.*

The prison is situated on the banks of the Minato-gawa, it covers a space of ten acres, the buildings occupying about three quarters of an acre. At the time of the visit the jail contained 1,024 male and 171 female convicts, while of unconvicted prisoners awaiting their trial, there were 219 males and 21 females.

I first visited the cells reserved for unconvicted prisoners. These are contained in a number of detached buildings, there being on the average about twelve cells to each building. The first impression on entering is of a number of cages for wild animals, and the impression is strengthened when it is observed that while the front of the cells is faced with wooden bars, the entrance thereto at the rear is by small doors about four feet square. The cells are in reality wooden structures set in the middle of a room, around which the warders can patrol freely. Those for the unconvicted as well as for the convicted prisoners are exactly nine feet square, and from this space must be deducted two or three feet divided off by a partition about three feet high for the W.C. and another similar space not so divided where there is a tub of water for purposes of ablution. In this respect the cells for the unconvicted prisoners are distinctly inferior to those for the convicted, as in the latter case the partition dividing the W.C. off from the open part of the cell goes right up to the low roof, and is therefore a more satisfactory arrangement. It would naturally be thought that any distinction of the sort would be in favour of the unconvicted prisoners, but this is not the case, which is the more surprising seeing that with the convicted prisoners the cells are used only at night, while the unconvicted prisoners remain in their cells all day and night with the exception of one hour for exercise.

The cells are twelve feet high and raised about two feet from the ground. The floor is of wood, over which thin coarse straw mats are laid, and as we passed through each building the various prisoners, among whom were several Chinese, sat on these mats facing the bars. It was not a very cold day, but the buildings struck a chill as they were entered, there being no method of warming them. The only protection from the outside air consisted of paper windows on the outer side of the corridor. The flooring of the cells is of wood, covered with coarse thin matting, upon which the unconvicted prisoners were kneeling in Japanese fashion. All the cells appeared to be clean, the woodwork being well polished, but, in answer to a question, it was admitted that vermin, especially bugs, brought in among the clothing of the unconvicted prisoners, had got into the woodwork, and were very difficult to extirpate.

In one of these cells 9 feet square I counted eight men, while in others there were three, four and five, and in a number of cases one person only.

Passing to the buildings for convicted prisoners, I found that the cells were on exactly the same principle as those for the unconvicted, with the exception above noted, there being no washing arrangements in the cell and the W.C. being partitioned off. I found that according to the wooden tickets giving the numbers and names of the prisoners, in some cases as many as eleven persons slept in one cell 9 feet square. In order to allow this number to lie at full length, I was told six lay with their heads one way and five the other. Six, I was told, is properly the limit for each cell, but owing to the number of prisoners who from the nature of the crime committed must be segregated, the prison is at present overcrowded. In each cell the bedding of the prisoners was folded up ready to be laid down at night when in use. In the court-yard in front of the cells was a row of taps, where the prisoners could perform their ablutions in the morning. The prisoners have a bath every five days. For the whole of the thousand or so prisoners there is only one bath-tub, the dimensions of which are 6 ft. by 10. Fourteen men enter the bath at one time, and each batch is allowed to remain for five minutes only.

The clothing of the prisoners consists of cotton of coarse texture, that for the convicted being of a red colour, while that supplied for unconvicted prisoners who enter without decent clothes is blue. There is a cotton undershirt, close-fitting cotton trousers, and a cotton over-garment, wadded in winter. The clothing is changed once a week in winter and every five days in summer. There is besides a working garment, the prisoners I was told, always changing their clothes before going into the workshop.

Most of the cells were empty, their occupants being in the workshops. In the one or two exceptions the men had been sentenced to solitary confinement for prison offences, or were dangerous criminals, men who had committed murder and such-like crimes and were serving sentences up to ten years. Criminals sentenced to longer terms are sent to the convict prison in the Hokkaido.

Corporal punishment, I was told, was never resorted to in Japanese jails. There were three dif
classes of punishment for unruly conduct or offences against the prison regulations. The first wa
confinement, the second reduction in the quantity of food, and the third imprisonment in the dark cell
period not exceeding five days.

The dark cells were separate buildings 9 feet square, resembling tiny Japanese godowns wi
ventilating apparatus on the roof. When the door is closed there is complete darkness with the exce
of a tiny ray through the ventilating apparatus in the door.

The prisoners must rise at 6 o'clock in the morning. At 6.30 a.m. bean soup with a mixtur
rice and barley is served, at 12 noon there is rice and barley with occasionally a little fish and vegeta
and at 5 p.m. more rice and barley with pickled turnips. The expense limit in Hiogo prefecture
regards food is, I understand, 5 cents (equal to 5 farthings) per diem for each prisoner. The food is ser
in wooden boxes.

The workshops for the prisoners are large and long, but very cold, there being no method of heat
them. Though the temperature was not under freezing point on the day of my visit, some of the priso
seemed from the bluish colour of their faces to feel the cold severely. Among the employments carried
are match making, basket making, straw rope manufacture, matting and so on. Work ceases at 4 p
and there is no work on Sundays.

The prison comprises an infirmary, where prisoners who are afflicted with disease of a non-infecti
nature are treated. It consists of a large room with wooden bars like a huge cage, with a corridor runni
around it. On the outer side of the corridor were the customary sliding paper windows. The floor wa
cement, not wood. There were low wooden beds on either side occupied by patients, one or two of wh
appeared in the last stage of consumption. The bed clothing, &c., appeared ample, but the ro
or cell seemed bitterly cold, being, like the rest of the prison, quite unwarmed, and only protected fr
the outer air by the paper windows aforesaid.

There are a number of children in the prison, some not more than ten years old.

In the women's quarters the cells for the women were similar to those of the men, nine feet square wi
bare boards over which thin coarse mats were provided for sitting and sleeping purposes. There was
infirmary for the women, but a certain number of ordinary cells were set apart for this purpose.

I am of opinion from my inspection of this prison that it is totally unfitted for Europeans. T
sanitary arrangements of the cells are defective. The cold in winter must be extreme, as the cells are op
in front and are not warmed in any way. The infirmary is not heated in cold weather, so that the patien
must suffer intensely. Both the character of the food and the quantity and quality supplied are qu
inadequate and unsuitable. I am confident that lasting injury to health, and even in some cases dea
must be the result to the majority of foreigners of even a brief imprisonment.

(Signed) THOMAS C. THORNICRAFT,
M.R.C.S. and L.R.C.P. Ed.,
Medical Director International Hospital, Ko

Enclosure No. with Mr. Buck's No. 166, of date July 15th, 1898.

Enclosure No. 4 with Mr. Buck's No. 166 of July 15th, 1898.

(Copy)

Kobe, Japan, July 1st, 1898.

To His Excellency Alfred E. Buck,

E.E. and M.P. of the United States of America.

Sir:

On behalf of my fellow memorialists I have the honor to forward to your care through the United States Consul at this port, an appeal to the President of the United States, relating to questions growing out of the new treaty between the United States and Japan.

In sending this memorial to the President, it is our wish to strengthen such action as Your Excellency may already be taking with regard to several serious defects in the treaty that may shortly come into force, and to impress upon our Government the importance of obtaining definite diplomatic guanantees for the protection of United States citizens.

We hope that Your Excellency will accompany this memorial with a dispatch giving such further information and making such recommendations as may seem wise to Your Excellency with a view to supplementing and strengthening our representations.

I also have pleasure in handing Your Excellency extra copies of the memorial and medical report.

I am, Sir,

Your obedient servant,

(Signed) J.S.Happer,

Chairman American Memorial Committee

Hon.Sec. International Memorial Committee.

Enclosure No. 5, with Mr. Buck's No. 146 of July 15th 1898.
(Copy)

Consulate of the United States of America,

Hiogo, July 5, 1898.

Sir:

I have the honor to enclose herewith a copy of a communication addressed to me by J.S.Happer, Esq., an American citizen and Chairman of the American Memorial Committee, also Honorary Secretary of the International Committee, which associations have recently been formed at this port for the purpose of helping to secure certain necessary concessions towards foreigners in anticipation of the operation of the new treaties, in which communication he requests me to transmit to Your Excellency

Ist. A communication from him to yourself in which he encloses and requests you to transmit, an original memorial signed by American citizens and having in view the end as above stated, to the President of the United States.

2d. A copy of the report made to A.H.Groom esq., Chairman of the International Committee aforesaid by Thomas C.Thornicraft, M.R.C.S.and L.R.C.P.Ed., Medical Director of the International Hospital at Kobe, relative to a visit of inspection made by him to the Hiogo Prefectural Prison.

3rd. A communication by the Chairman and Secretary aforesaid to the President transmitting the said original Memorial and Medical Report.

There is also enclosed for your inspection a copy each of the Medical Director's Report on the condition of the Hiogo Prefectural Prison and of the original Memorial of resident Americans to the President of the United States.

I.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) Samuel S.Lyon, Consul.

Enclosures as noted.

H.E. Alfred E.Buck,

etc., etc., etc.,

Tokyo, Japan.

DIPLOMATIC,
AUG 8 1898
BUREAU.

INDEX BUREAU
REC'D.
8 AUG 1898
DEPT. OF STATE

No. 167.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

Mr: Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction No. 122, of date June 6, 1898, enclosing certificate of appointment of Mr. Fulkerson as Vice Consul of the United States at Nagasaki.

No. 167.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No. 122, of date the 6th ultimo, enclosing a certificate of the appointment of Epperson R. Fulkerson, as Vice Consul of the United States at Nagasaki.

I have applied to the Foreign Office for the formal recognition of Mr. Fulkerson and shall forward him his exequatur through the Consul General upon receipt of the same.

I have the honor to be,

Sir,

Your obedient servant,

Alvey A. Adee

DIPLOMATIC,
AUG 8 1898
BUREAU.

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REC'D.
8 AUG 1898
DEPT. OF STATE

No. 168.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

Mr. Buck,

to the Secreatry of State.

Subject:

Acknowledging receipt of Instruction No. 123, announcing appointment of Mr. Smith as Vice and Deputy Consul at Osaka and Hiogo.

No. 168.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No. 123, of date June 7th, 1898, in which was enclosed a certificate of appointment of Hubbard P. Smith, as Vice and Deputy Consul of the United States at Osaka and Hiogo.

I have applied to the Foreign Office for Mr. Smith's official recognition and shall notify him, so soon as I am informed, of the result.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
AUG 8 1898
BUREAU.

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REC'D.
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DEPT. OF STATE

No. 169.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July I5, I898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Instruction No. II9, of date June Ist, I898.

No. 169.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No. 119, of date the 1st ultimo, with which were sent three copies of "Advance Sheets of Consular Reports" for May 31st, 1898, containing Japan's proclamation of neutrality.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Printed in Advance
State. Aug. 19.

DIPLOMATIC,
AUG 8 1898
BUREAU.

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REC'D.
8 AUG 1898
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2D ASSISTANT SECRETARY,
Ack and send
to Mr. Quay to print.
AUG 8 1898

No. 170

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

Ackd
Aug 12/98
C

To Treasury & Acknd again
Oct. 11

Mr. Buck

to the Secretary of State.

Subject:

Forwarding translation of new Harbor Regulations.

No.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

To the Honorable William R.Day,

Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith enclosed two copies of the official translation of the new Harbor Regulations for the Open Ports recently promulgated by Imperial Ordinance.

I have the honor to be,

Sir,

Your obedient servant,

Enclosure:

Two copies of Harbor Regulations, as above.

HARBOUR REGULATIONS FOR THE OPEN PORTS.

HARBOUR REGULATIONS
for the
OPEN PORTS.

ARTICLE I.

The limits of the undermentioned Ports open to foreign commerce are defined as follows:

At Yokohama: the harbour limits are comprised within a line drawn from the Juniten (Mandarin Bluff) to the light-ship and thence due north, to a point on the coast east of the mouth of the Tsurumigawa.

At Kobe: the harbour limits are comprised within the area bounded by two lines, one drawn from the former mouth of the Ikutagawa due south, and the other running in a north-easterly direction from the point of Wadanomisaki.

At Niigata: the harbour limits are comprised within the arc of a circle, the centre being the light-house and the radius being 2½ nautical miles.

At Ebisuminato: the harbour limits are comprised within a line drawn from Shiidomari-mura to Tsori-mura on the outside, and a line drawn from Minatocho on the east shore of Lake Kamo, to Kamomura on the north-west shore of the same lake.

At Osaka: the harbour limits are comprised within a line drawn from Tree Point at the mouth of the Mukogawa south by west, and a line from the mouth of the Yamatogawa, the two lines cutting each other at a distance of 6 nautical miles from Tree Point and 5 nautical miles from the mouth of the Yamatogawa.

At Nagasaki: the harbour limits are comprised within a line drawn from Kanzaki to Megami.

At Hakodate: the harbour limits are comprised within a line drawn from a point off the coast, ½ a nautical mile south of Anama Point, to a point on the east bank of the mouth of the Arikawa, Kami-isomura.

ARTICLE II.

Every vessel on entering a port shall hoist its ensign and its signal letters.

Regular Mail Packets may hoist the Company's flag in lieu of the signal letters.

The ensign and signal letters or flag must not be lowered until the vessel's arrival shall have been duly reported to the Harbour Master.

Such report shall be made within 24 hours after arrival, Sundays and holidays excepted, and no Customs facilities shall be extended to any vessel until such report shall have been made.

ARTICLE III.

Every Master on arrival in port shall prevent all communication between his ship and other vessels or the shore until it shall have been admitted to "free pratique."

ARTICLE IV.

The Harbour Master's boat will be in attendance near the entrance of the harbour, and the Harbour Master will assign a berth to every ship on entering, which berth it must not leave without special permission, unless forced to do so. The Harbour Master may cause a vessel to change its berth should he consider it necessary.

ARTICLE V.

The Harbour Master shall always wear a uniform when on duty, and his boat shall carry a flag of the pattern hereto annexed.

The Harbour Master may at any time satisfy himself that his directions as regards anchorage, the movements of ships and the proper condition of moorings are carried out.

ARTICLE VI.

No vessel shall anchor in the public fair-way or otherwise obstruct free navigation. Vessels which have run out jib-booms shall rig them in at the request of the Harbour Master if they obstruct free navigation.

ARTICLE VII.

Every vessel either at anchor or under weigh within harbour limits shall carry between sunset and sunrise the Lights required by the Regulations for the Prevention of Collisions at Sea.

ARTICLE VIII.

When bad weather threatens or warning signals are exhibited, vessels shall immediately get ready one or more reserve anchors; and steamships shall, in addition, get up steam.

ARTICLE IX.

Any vessel carrying explosives or highly inflammable materials in excess of ordinary requirements shall come to outside the harbour limits and there await the Harbour Master's orders. Such vessels while so waiting shall, between sunrise and sunset, fly at the foremast head the signal letter "B" and between sunset and sunrise shall hoist in the same place a red lantern.

No vessel shall ship or discharge any such materials except at such places as the Harbour Master may indicate.

ARTICLE X.

Every ship which is laid up or undergoing repairs, and all yachts, store-ships, lighters, boats, etc., shall be moored in special berths designated by the Harbour Master.

ARTICLE XI.

In case of fire breaking out on board a ship within harbour limits, the ship's bell shall be rung until the arrival of assistance, and the signal letters "N. M." shall be hoisted between sunrise and sunset, or a red lantern shall be continuously hoisted and lowered between sunset and sunrise.

If police assistance be required the signal letter "G" shall be hoisted between sunrise and sunset and between sunset and sunrise blue or flash lights shall be shown.

All discharging of fire-arms or letting off of fire-works within harbour limits is forbidden without permission from the Harbour Master except in such cases as above-mentioned for the purpose of signalling.

ARTICLE XII.

Any vessel arriving from a place which has been declared by an official declaration of the Imperial Government as being infected with an

epidemic or contagious disease (such as cholera, small-pox, yellow-fever, scarlet-fever, pest) or on board of which any such disease shall have occurred during the voyage, shall come to outside harbour limits and shall hoist a yellow flag at the foremast head between sunrise and sunset and shall show a red and a white light one above the other in the same place between sunset and sunrise. Such vessel must undergo inspection by the proper sanitary Authorities.

The sanitary Authorities shall, on approaching the vessel, be informed whether any cases of any such diseases have actually occurred during the voyage and the nature of such diseases, in order that suitable precautions may be taken.

The said ship must not lower the yellow flag or the above-mentioned lights until it shall have been admitted to "free pratique," neither shall any person land from it, nor shall any communication be held with other ships without the permission of the proper sanitary Authorities.

The provisions of the preceding paragraphs apply to vessels anchored within harbour limits on board of which any of the above-mentioned epidemic or contagious diseases have broken out.

Such vessels must change their berth on receiving an order to that effect from the Harbour Master.

Any vessel arriving from a place infected with cattle-disease or on board of which such disease has broken out during the voyage shall not land or tranship either the cattle, their dead bodies, skins, hides or bones, without the permission of the proper sanitary Authorities.

ARTICLE XIII.

No carcasses, ballast, ashes, sweepings, &c., shall be thrown over board within harbour limits.

Whilst taking in or discharging coal, ballast or other similar materials the necessary precautions shall be taken to prevent their falling into the sea.

If any materials detrimental to the harbour shall have been thrown into the sea or shall have been allowed to fall in through negligence by any ship, they shall be removed by the ship upon receipt of an order to that effect from the Harbour Master; and if not so removed the Harbour Master may cause them to be removed at the ship's expense.

ARTICLE XIV.

Any ship intending to leave port shall give notice at the Harbour Master's office and hoist the Blue Peter.

Steamers which have fixed dates of departure need only make one declaration for their arrival and departure.

ARTICLE XV.

All wreckage or other substances which obstruct the public fair-way in a harbour or its approaches must be removed by their owner within the time indicated by the Harbour Master. If this order is not complied with within the time specified by the Harbour Master, the Harbour Master may cause them to be removed or destroyed at the owner's expense.

ARTICLE XVI.

A suitable and sufficient number of buoy moorings for regular Mail Steamers shall be provided by the Harbour Master's Office. A prescribed fee shall be charged for the use of such moorings.

ARTICLE XVII.

No chains, ropes or other gear shall be attached to any light-ship, signal buoy or beacon.

Any vessel running foul of or damaging a light-ship, buoy, beacon, jetty, or any other structure, shall pay the necessary expenses for repairs or replacement.

ARTICLE XVIII.

Any infringement of the provisions of the present Regulations shall render the offender liable to a fine of not less than Yen 2. and not exceeding Yen 200.

ARTICLE XIX.

The Master of a vessel shall also be held responsible for any fines, fees or expenses which may be imposed or charged on or in respect of the vessel.

ARTICLE XX.

No vessel shall be allowed to depart until all fines, fees and expenses imposed or charged under these Regulations shall have been paid, or until security therefor to the satisfaction of the Harbour Master shall have been deposited with the Harbour Master.

ARTICLE XXI.

The word "Harbour Master" as used in these Regulations is also meant to include the Harbour Master's Assistants and Deputies; and by the word "Master" is meant any person in command of, or having the direction of, a ship, whatever his designation may be; and by the word "Port" or "Harbour," is meant one of the ports or harbours enumerated in Article I of these Regulations.

ARTICLE XXII.

A portion of each harbour shall be reserved as a man-of-war anchorage.

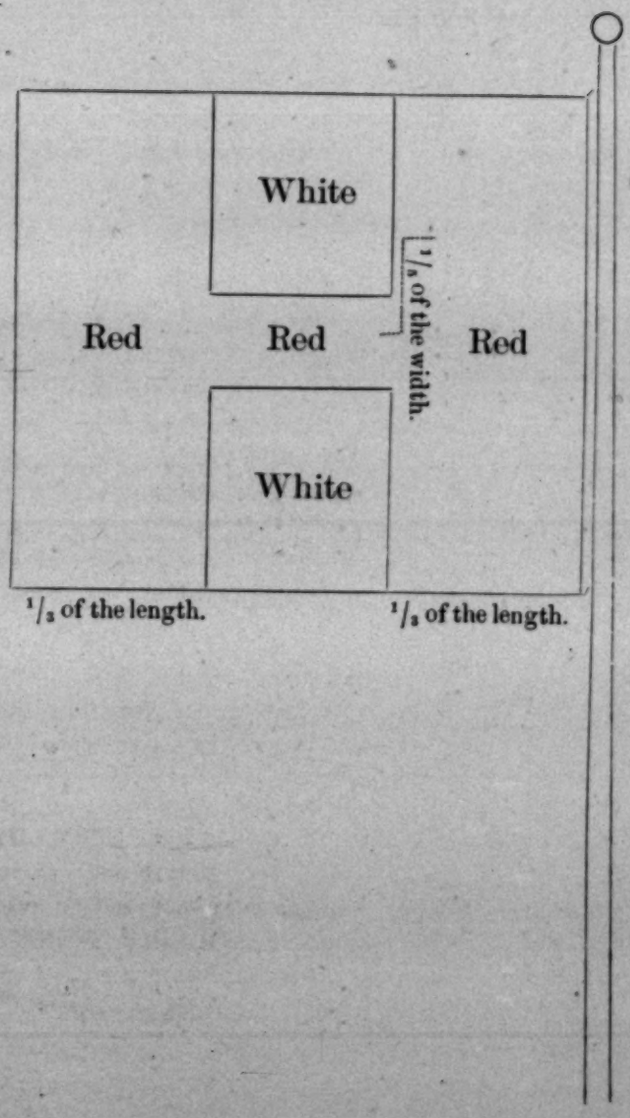
ARTICLE XXIII.

The only provisions in these Regulations which shall apply to men-of-war are those contained in Articles IV, VI, XII and XXI and in the first and second paragraphs of Article XIII.

ARTICLE XXIV.

The time when and the localities where these Regulations are to come into operation, shall be notified by the Minister of Communications. The Minister of Communications shall also issue detailed rules for the due enforcement of these Regulations.

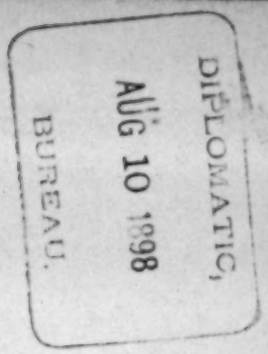
Flag Prescribed in Article V.



No. 171.



Aug Aug 12/98



LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Removal of Mr. Baker from position of Clerk of Legation and appointment of Mr. Miller, subject to approval of the Department.

No. 171.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 15, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

It having become necessary to relieve Mr. Willard D. Baker, Clerk of this Legation, from further duty as such, I have the honor to inform you that, in pursuance of authority of Instruction of the Department No. 354, of date September 21st, 1896, I have this day appointed Mr. R. S. Miller Clerk of the Legation, under like conditions of salary and duties as were authorized in the case of the appointment of Mr. Baker, approved September 18th, 1897, per Instruction No. 28.

Mr. Miller is the Interpreter at the Legation, a very energetic, faithful officer, and it is thought that in addition to the full discharge of his duties as Interpreter, he will be able to perform the duties of clerk successfully by putting in additional hours of work.

There is no one here to my knowledge who could be obtained to perform successfully the duties of clerk at the small compensation allowed, and under Section 308 of "Instructions "to Diplomatic Officers" I have made the appointment, subject to the approval of the Department, and Mr. Miller will begin

the

the discharge of the duties of clerk from this date.

I have the honor to be,

Sir,

Your obedient servant,

H. E. Brook

No. 172.

Dept. of State
AUG 26 1898

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REC'D.
26 AUG 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

✓ Ackd Aug 27

Mr. Buck

to the Secretary of State.

Subject:

No dissatisfaction among the Japanese at the United States' annexing Hawaii.

No. 172.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

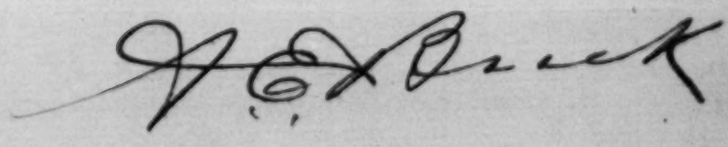
I have the honor to state that I have observed no dissatisfaction here in any quarter in regard to the annexation of the Hawaiian Islands to the United States, since annexation has become accomplished.

The Government and people alike seem to be satisfied that our Government will fully protect the rights and interests of Japan and of Japanese subjects in those islands. On the part of the public press I have known of no unkind expressions because of the United States' annexing those islands.

I have the honor to be,

Sir,

Your obedient servant,



No. 173.

DIPLOMATIC,
AUG 29 1898
BUREAU.

2D ASSISTANT SECRETARY,
Ack. appreciating the value of these books for reference.
AUG 29 1898

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26 AUG 1898
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LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Acked Aug. 31.

Mr. Buck

to the Secretary of State.

Subject:

Forwarding translations by Dr. Lonholm of the revised Civil and Commercial Codes and of other new Japanese laws.

No. 173.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to enclose herewith a copy of a translation by Dr. Lönholm, Professor in the Imperial University, of the revised Civil Code of Japan which was put into operation by Imperial Ordinance on the 16th instant; and also a copy of Dr. Lönholm's translation of the revised Commercial Code of Japan. The revised Commercial Code was not passed by the last Diet owing to its sudden dissolution, but it is confidently expected that it will be put into operation soon after it shall have been acted upon by the next Diet in the autumn. As it was not made operative by an Urgency Imperial Ordinance, the old Commercial Code, unrevised, came into operation on the 1st instant. Its operation had been postponed until that date; so that, in the absence of other legislation, it is to remain in force from then until the revised code may be substituted, which will probably be within a few months. Strange to say there is no translation of this code now temporarily operative.

I also enclose Dr. Lonholm's translation of other new Japanese laws supplementary to the codes. The laws of shipping and of mariners therein contained are drafts of proposed laws not

Re/ revised Commercial Code to go into effect on June 16 1899. See despatch No. 282, of April 18, 1899, from Legation at Tokyo. J.C.C. May 16, 1899.

not yet enacted, but expected to be brought before the next Diet.

I have the honor to be,

Sir,

Your obedient servant,

Enclosures:

(1) Translation of revised Civil Code of Japan by Dr.Lönholm

(2) Translation of revised Commercial Code by Dr.Lönholm.

(3) Translation of other new Japanese laws by Dr.Lönholm.

SOLICITOR'S OFFICE
AUG 26 1898

No. 174.

INDEX BUREAU
REC'D.
26 AUG 1898
DEPT. OF STATE

Rec'd Aug 29.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Transmitting correspondence in a case of assault upon Mr. William Franklin Sands, United States Secretary of Legation in Korea, perpetrated at Nagasaki on January 1st 1898 by Shichizo Inouye, a Japanese subject.

No. 174.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to transmit herewith a copy of the proceedings and judgment together with the correspondence in the case against Inouye Shichizo, for an assault upon Mr. William Franklin Sands, Secretary of the United States Legation in Korea, on January Ist last, while Mr. Sands was en route to his post. The trial of the case was in the local Japanese court at Nagasaki and judgment was rendered against said Shichizo and a sentence of five days imprisonment was imposed upon him on June 27th last.

Upon the facts of the assault upon Mr. Sands' coming officially to my knowledge on February 19th last by receipt through our Consul General Mr. Gowey at Yokohama of a copy of a dispatch to him from Consul Harris at Nagasaki enclosing a copy of a sworn statement by Mr. Sands, and also a copy of a letter written to the Governor of Nagasaki Ken by the British Consul at that port (herewith enclosed marked No. 2), I called upon the Japanese Minister for Foreign Affairs and presented him with a copy of these papers. I strongly urged the necessity of a trial of the persons charged with the assault, and that if

guilty

guilty they be adequately punished to the end not only that justice be meted out to them, but also that by such trial and punishment the repetition of such assaults and other difficulties altogether too frequent might be prevented, and the increasing antagonism between Japanese and foreigners in Nagasaki be allayed.

Baron Nissi, then Minister for Foreign Affairs, expressed his concurrence in my views and stated that he would have attention given to the matter. In a conversation with him later upon this subject he stated that he had had the case investigated and from what he could learn it was supposed by the authorities at Nagasaki that Mr.Sands, having inflicted bruises upon the leading man in the affray and not having himself been hurt, did not desire that the case be prosecuted. In reply I stated that that was a mistake, and that from recent letters from Mr.Sands I learned that he desired a prosecution of the case, and was more especially earnest in that desire by reason of its having been stated in sundry newspapers that he might have been really the aggressor, and that if necessary he would gladly be present upon the trial and ready to meet any accusation that might be brought against him in connection with the case.

Having caused a full record of the preliminary proceedings had upon the police investigations of the case to be furnished me, including the decission of the Head Procurator of the Court, wherein he gave as a reason why he did not prosecute the case that from the evidence it appeared doubtful whether Mr.Sands was not the assaulting party, on April 9th I addressed a note to the Minister for Foreign Affairs (pg.45) enclosing copy of an affidavit of Terence Longford as additional evidence received by me, and formally urging upon him the trial of the accused

accused. On April I3th I received by the hand of a clerk of the Foreign Office a "Memorandum of the Nagasaki Assault Case "Prepared for the Foreign Office by the Department of Justice" to which department the case had been referred (pg.48) with a verbal statement to the Interpreter of this Legation that if further evidence should be forthcoming the case would be reconsidered. The Department of Justice, doubtless, had come to its decision in support of the conclusion of the Head Procurator not to prosecute the case, before my note to the Foreign Office with the additional testimony of Terence Longford had been considered by that department, as there evidently had not been sufficient time for the receipt and consideration of my note before the "Memorandum" had been sent to the Foreign Office.

Having received no reply to my note of April 9th or further communication from the Foreign Office, though in my calls subsequent to the receipt of the "memorandum, I had incidentally brought the matter to the attention of the Minister for Foreign Affairs, on the new Minister for Foreign Affairs, Count Okuma, entering upon the duties of his office, I immediately brought the case to his attention and on the 2Ist instant I received a note from him (pg.5I) enclosing a copy of the judgment by the District Court of Nagasaki, sentencing Inouye Shichizo, the accused, to five days imprisonment.

Paragraph IX article 425 (see Foreign Relations, I88I) cited by the Court as the law applied in this case declares that the person convicted shall be committed for from three to ten days and fined from I Yen to I.95 Yen. Why no fine in addition to the imprisonment was imposed does not appear. In a conversation with an official of the Foreign Office I was told that it is within the discretion of the Court to decide whether both

both imprisonment and fine, as the law declares, shall be imposed or either to the exclusion of the other. I find nothing in the Code to justify such action on the part of the Court. However the conclusion in this case is more satisfactory, considering the position taken at first by the Procurator of the Court, than I had reason to anticipate.

I have the honor to be,

Sir,

Your obedient servant,



Enclosures:

No.1. Correspondence and records of the case of Shichizo Inouye, convicted of assaulting Mr.William Franklin Sands, Secretary of the United States Legation in Korea, in Nagasaki .

No.2 Other correspondence in the same case.

Enclosure No.I with Mr.Buck's No 874 of date July 26th I898.

Correspondence and records of the case of Shichizo Inouye convicted of assaulting Mr.William Franklin Sands.

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" 7 Governor of Nagasaki to Mr.Abercrombie? Jan.7th

" 8 Mr.Abercrombie to Procurator, Jan.5th, I898.

" 8 Consul Harris to Governor, Feb.9th I898.

" 9 Mr.Harris to Governor, Feb.9th, I898.

" I0 Governor to Mr.Harris, Feb.I4th I898.

" II Mr.Harris to Governor, Feb I6th, I898.

" I2 Governor to Mr.Harris, Feb.I9th, I898.

" I3 Mr.Harris to Mr.Gowey, Feb 28th I898.

" I5 The Procurator to Mr.Harris, Feb.23d, I898.

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" 43 Statement of Terence Longford.

" 45 Mr.Buck to Baron Nissi, April 9th I898.

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" 52 Judgment of Nagasaki Court.

(Copy) No.91.

Consulate of the United States,
Nagasaki, March 26, 1898.

His Excellency Alfred E.Buck,
Envoy Extraordinary and Minister Plenipotentiary of
the United States,
Tokyo.

Sir:

I have the honor to make the following report:

On the first day of January last W.F.Sands, a citizen of the United States, while on his way from this Consulate to the hotel at which he was stopping, was assaulted by several drunken Japanese subjects and severely handled. The next day he made a sworn statement of the affair before Consul Abercrombie (Enclosure No.1). On January 3d the Consul promptly filed a copy of the statement made by Mr.Sands with the Governor, requesting that the offenders should be arrested and punished according to law,(Enclosure No.2); the Governor on the 7th of January acknowledged the receipt of the statement, and stating that having saused examination to be made of the affair, that he had transmitted the case to the Head Public Procurator of the Nagasaki District Court, and that he had written the Procurator to inform him (Consul Abercrombie) of the judgement when rendered (Enclosure No.3). On the 5th of January Consul Abercrombie wrote the Procurator that Mr.Sands would probably be compelled to leave Nagasaki the next day at noon, that if it were necessary to have further sworn statements from Mr. Sands, that he (Mr.Sands) could be found at the hotel until 10 A.M. of the next day, January 6th (Enclosure NO.4) to that letter the Consul received no written reply. I am however informed by the interpreter of this Consulate that the Procurator saw Consul Abercrombie and informed him that he had all the evidence necessary in the case with which to prosecute the assailants.

Shortly after assuming the duties of Consul, my attention was called to a notice in the local newspaper that the Procurator had decided not to prosecute the assailants of Mr.Sands. On February 9th, having given the Japanese authorities ample time in which to notify me of their decission in the matter, I addressed a letter to the Governor requesting information as to what action the authorities had taken in the matter (Enclosure No.5). In answer I received on the 14th of February a communication from the Acting Governor, stating that the Procurator would not fail to furnish me with the information desired when the case was concluded, and further stating that if I would like to see the matter speedily settled, that I would better communicate directly with the Procurator to that effect (Enclosure No.6). To that communication I replied on the 16th February, that in my communications with Japanese authorities I deem it my duty to communicate directly with the Governor of the Ken, and also informing him that as the assaul upon Mr.Sands was entirely un called for, and without the leas provocation, I requested that the assailants have a speedy trial, if convicted, that they be punished according to law, and further respectfully requesting that he inform me, at an early day as possible, what action had been taken to bring the assailants to justice (Enclosure No.7).

On February 19th I received an answer from the Governor, stating that the case was still under examination, and that

as stated in his previous letters, I would be informed of the results by the procurator. (Enclosure No. 8.) On the 23rd of February I received from the procurator his decision in the case, and that was that he had not found sufficient cause to prosecute the assailants. (Enclosure No. 9.)

On the 10th inst. I addressed a despatch to the Governor requesting that he would at an early date as possible, cause to be furnished me a transcript of the entire proceedings had in the Japanese courts in relation to the matter of the assaul on Mr. Sands. (Enclosure No. 10.) I received on the 12th from the procurator a transcript of the proceedings had in the examination. (Enclosure No. 11.), which together with his decision (Enclosure No. 9) is, I think, an entire transcript of the proceedings had by him in the ase.

From information received I had reason to believe that a native servant called "To" was a witness to the assault from its commencement, and that the native Ichimatsu Miyazaki, who had been called as awitness before the procurator, could probably be identified, by Mr. Longford, H. B. M's Consul, as being one of those who assaulted Mr. Sands.

On the 16th I wrote to the Governor requesting him to secure the evidene of the native servant "To," and requested further that I be furnished a copy of such evidence, and also requesting that he take such steps that would enable Mr. Longford to identify the native Ichimatsu Miyazaki as being on of the assailants (Enclosure No. 12); in answer to that letter I received on the 25th a communication from the Governor enclosing the evidence of the native servant "To" and also the evidence of the native Ichimatsu Miyazaki(Enclosure No. 13 and 14.)

I have also received the sworn statement of Terene Longford (Enclosure No. 15). Master Longford is a very bright young lad of good charater, and thoroughly competent to make a sworn statement.

I have the honor to be,

Sir,

Your Obedient Servant,

(Signed) Charles B. Harris

U. S. Consul.

ENCLOSURES.

1. Copy of sworn statement of W. F. Sands.
2. Copy of letter Consul Abercrombie to the Governor, transmitting sworn statement of Mr. Sands.
3. Copy of letter from the Governor to Consul Abercrombie acknowledging receipt of charges.
4. Copy of letter Consul Abercrombie to Procurator in regard to further evidence of Mr. Sands.
5. Copy of letter Consul Harris to the Governor, asking for information.
6. Copy of letter Governor to Consul Harris with information.
7. Copy of letter Consul Harris to the Governor, request-

ingspeedy trial of assailants and for further information.

8. Copy of letter from the Governor to Consul Harris, stating that the case was still under examination.

9. Copy of translation.

10. Copy of Consul Harris's letter to the Governor.

11. 11. Transcript of the examination had by the procurator.

12. Consul Harris's letter to the Governor asking additional evidence.

13. and 14. Copy of evidence requested and letter of Governor transmitting the same.

15. Copy of sworn statement of Terence Longford.

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13. and 14. Copy of evidence requested and letter of Governor transmitting the same.

15. Copy of sworn statement of Terence Longford.

Copy.

CONSULATE OF THE UNITED STATES,

Nagasaki, January 2nd, 1898.

W.H.Abercrombie, Esquire,

United States Consul,

Nagasaki.-

Sir:

I have the honor to call to your attention an entirely unwarranted attack made upon me yesterday by several Japanese. As I left the gate of this Consulate at about I2 o'clock, four men whom I would suppose to be laborers, and who had evidently been drinking heavily, surrounded and laid hold on me by the coat and arms. Seeing their condition I pushed them away, gently at first, and continued on my way. Again they followed me, becoming always more offensive. I attempted to reason with them, and called to my aid, as they did not understand me , nor I them, a house servant who had been attracted by the noise, and whom I asked to explain to them once for all that they annoyed me, and that they should stop. This he did and leaving them with him I again went on, but had hardly passed the house of Mr. Longford, H.B.M.Consul, when I received a heavy blow on the back of the head. I promptly knocked the man down, cutting his face. At the sight of the blood two of the men fell upon me, whilst the more sober of the party ran for help. Whilst defending myself against the two men, others arrived, with sticks and bamboo staves; having no weapons but my fists, I took refuge at the head of a flight of steps in a garden near by, where I was safe from attack from behind, and while defending myself at that point against a rapidly growing crowd, Mr. Longford, with his servants , came to my help and beat off my assailants, arresting the man who

was most annoying from the beginning, and who had struck me in the beginning, and whom he turned over to the police.

Whilst I have no personal feeling in the matter, I deem it my duty, for the sake of the Europeans in Nagasaki, and particularly of Mr. Longford who was caused much annoyance by the invasion of his grounds by these people, to bring the matter to the attention of the police, that they may take measures to prevent such a thing occurring again.

Very respectfully,

(Signed)

W. F. SANDS

Sworn and subscribed to before me,
this 2nd day of January, 1898,
(Signed) W.H.ABERCROMBIE,
U.S.Consul.

(Copy) No.I467. Consulate of the United States,
Nagasaki, January 3d, I898.

Y. Komatsubara, Esq.,
Governor of Nagasaki Ken,
Kencho.

Sir:

I have the honor to enclose sworn statements made before me by W.F.Sands, Secretary of Legation at Korea, of an assault and Battery made upon him by some Japanese subjects on the morning of January Ist I898. I would request that these offenders should be arrested and punished according to law.

Will you kindly inform me of the judgement rendered should the assailants be brought to trial.

I am, Sir,
Your obedient servant,
(Signed) W.H.Abercrombie,
U.S.Consul.

7

(Copy) No.3.

Nagasaki Kencho,
January 7th, 1898.

Sir:

I have the honor to acknowledge the receipt of your letter of the 3d instant, regarding the assault and battery made upon Mr.W.F.Sands,Secretary of the U.S.Legation at Korea, by Japanese subjects.

In reply I beg to inform you that,having caused examination of the affair, I have transmitted the case to the Head Public Procurator of the Nagasaki District Court and that I have written to him to inform you of the judgement when rendered.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed)Y.Komatsubura,
Governor of Nagasaki Ken.

Dr.W.H.Abercrombie,
U.S.Consul/
Nagasaki.

8

(Copy) No.I475. Consulate of the United States,
Nagasaki, January 5th, I898.

Y.Okada, Esq.,
Head Public Procurator
District Court,
Nagasaki.

Sir:

I have been informed by Mr.Sands, whose statement of an assault committed upon him by Japanese subjects on the 3Ist December, I897, has been forwarddd to you, that he may be compelled to leave Nagasaki tomorrow noon. He will be at the Belle Vue Hotel tomorrow morning until I0 A.M., should it be necessary to take his sworn statements.

I am Sir,
Your obedient servant,
W.H.Abercrombie,
U.S.Consul.

5

(Copy) NO. 39. Consulate of the United States,
Nagasaki, February 9th, I898.

R.Tanaka, Esq.,
Acting Governor of Nagasaki Ken,
Kencho.

Sir:

I have the honor to request that you inform me what action has been taken by the Japanese authorities against the Japanese subjects that committed an assault upon W.F.Sands, a citizen of the United States, on the morning of the Ist day of January I898, while walking along the upper road of Sagarimatsu Hill and to which your attention was called in dispatch No:I467 from this Consulate under date of January 3d, and which you acknowledge receipt of in your dispatch No.3 of January 7th.

I have the honor to be,
Sir,
Your obedient servant,
(Signed) Charles B.Harris,
U.S.Consul.

10

(Copy) No.20. Nagasaki Kencho,
February 14th, 1898.

Sir:

I have the honor to acknowledge the receipt of your letter, dated the 9th instant, requesting me to inform you the result of the action taken by the Japanese authorities, in the criminal case of an assault committed by a Japanese on Mr.F. Sands, an American citizen.

In reply I beg to state that as mentioned in Governor Komatsubara's letter addressed to you on the 7th ultimo, the matter was transmitted from the Kencho to the Public Procurator of the Nagasaki District Court, who I trust will not fail to furnish you with the information you desire about the case when concluded.

I, therefore, may suggest that if you would like to see the matter speedily settled you will communicate directly to the Public Procurator to that effect.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) R.Tanaka,
Secretary Acting for Governor of Nagasaki Ken.

Charles B.Harris, Esq.,
U.S.Consul, NagasakiL

7

(Copy) No.44. Consulate of the United States,
Nagasaki, February I6, I898.

R.Tanaka, Esq.,
Acting Governor of Nagasaki Ken,
Kencho.

Sir:

I have the honor to acknowledge the receipt of your dispatch No.20 dated the I4th instant, acknowledging the receipt of my dispatch No.39 dated 9th instant, asking information as to what action had been taken by Japanese authorities in the matter of the assault upon W.F.Sands, an American citizen, by Japanese subjects on January Ist I898. You state that the Public Procurator will not fail to furnish me with the information I desire in regard to the case when concluded, and suggesting that if I would like to see the matter speedily settled that I communicate directly to the Public Procurator to that effect.

In communicating to Japanese authorities I deem it my duty to address all such communications to the Governor of the Ken.

I am informed that the assault upon Mr.Sands was entirely uncalled for and without the least provocation on his part. I would respectfully request that the assailants have a speedy trial; if convicted that they be punished according to law.

I will be pleased to be informed by you at an early day as possibleas to what action has been taken to bring the assailants to justice.

I have the honor to be,
Sir,
Your obedient servant,
(Signed) Charles B.Harris,
U.S.Consul.

12

(Copy) No.22.

Nagasaki Kencho,
February 19th, 1898

Sir:

I have the honor to acknowledge the receipt of your letter dated the 16th instant requesting me to inform you what action had been taken to bring the assailants to justice on the criminal case of assault committed against Mr.F.Sands, an American citizen,.

In reply I beg to state that the case is still, I learn, under examination at the Nagasaki District Court and that, as stated in my previous letter, its results would be informed to you by the Head Public Procurator of the above mentioned Court.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) R.Tanaka,
Secretary Acting for Governor of Nagasaki KeN.

Charles B.Harris, Esq.,
U.S.Consul, Nagasaki.

9

CONSULATE OF THE UNITED STATES,

Nagasaki, February 28, 1898.

John F. Gowey, Esquire,

etc., etc., etc.-

Yokohama.-

Sir:

I have the honor to enclose a corrected translation of the decision which the Head Public Procurator of the District Court of Nagasaki made and sent me on the 23rd instant, in the matter of an assault made on W.F.Sands, a citizen of the United States, by Japanese subjects on the Ist day of January last.

Since my last despatch I have received futther information which I have the honor to lay before you.

I can furnish positive evidence that the Japanese did assault Mr. Sands; the son of the British Consul at this port was with Mr. Sands when the assault took place and can give a very clear and accurate account of what occurred. His evidence was offered to the Procurator, so I am informed, and declined.

The evidence of a native servant to an English lady is also available. My predecessor wrote to the Procurator on t the 3rd January stating that Mr. Sands would probably be compelled to leave Nagasaki at noon on the next day, January 4th, and that if he wished further sworn statements from Mr. Sands that he could secure them before Mr. Sands departed.

I am informed that the Procurator saw Consul Abercrombie in relation to the letter, and told him that he had all the evidence necessary in the case with which to prosecute the assailants. Such being the case it would seem that he believed that the charges made by Mr. Sands in the sworn statement

were true.

There were four or five of the assailants, and I am told that they were drunk, and that that fact can be proven.

One of the assailants was arrested, the others escaping and concealing themselves from the police for several days.

Mr. Sands admits in his statement that he, in defence, struck one of the assailants; the fact that he was skilful enough to keep himself from bodily harm is decidedly in his favor, that he acted on the defensive in dealing with those drunken men.

As the assault was unjustifiable, it does seem to me that the matter should not be allowed to rest where it is, the assailants have not had a trial; they should have one; if the they are guilty they should be as severely punished as the law will permit; the lawless element of this port should be taught that they cannot assault citizens of the United States and go unpunished.

From the leniency shown Japanese subjects that have assaulted citizens of the United States at this port, and the ridiculous excuses made for the very inadequate punishment, acquittal or refusal to prosecute for such assaults, such actions will certainly lead citizens of the United States residing here to conclude that the Japanese authorities at this place do not seek to punish their subjects for offences against our people.

I have the honor to be , Sir,

Your obedient servant

(Signed) CHARLES B. HARRIS.

U.S.Consul.

Enclosure:

Corrected copy of Translation .

(Copy—Corrected translation)

District Court,
Nagasaki, February 23d, 1898.

Charles B.Harris, Esq.,
U.S.Consul,

Sir:

With reference to the charge of assault preferred in your dispatch of the 3d of January last, against a Japanese named Inouye Shichizo, I have now the honor to inform you in reply that as there is no positive evidence to support the statements of Shichizo and Mr.Sands as to their striking each other. it is not clear as to which is in the right. And looking at the fact which appears in the medical certificate that Mr.Sands had no wounds while Shichizo had, it is rather to be suspected that it may have been Mr.Sands that assaulted Shichizo.

As, however, there is no sufficient evidence of the facts of the case, I am not taking steps to prosecute either of the parties.

I have the honor, etc.,
(Signed) Y.Okada,
Head Public Procurator of the District Court,
Nagasaki?

(Copy) No.70. Consulate of the United States,
Nagasaki, MarchIO, I898.

Y.Komatsubara, Esq.,
Governor of Nagasaki Ken,
Kencho.

Sir:

I have the honor to respectfully request that you will at an early a date as possible cause to be furnished me a transcript of the entire proceedings had in the Japanese court in relation to an assault made on the person of W.F.Sands, a citizen of the United States, on the Ist day of January last.

I have the honor to be,
Sir,
Your obedient servant,
(Signed) Charles B.Harris,
U.S.Consul.

17

(Translation. Copy.)

OFFICIAL REPORT.

It was about 12.40 p.m. this day that while we were on the standing watch we were informed of a violence at the British Consul's residence, Ipponmatsu, Minami yamate. We at once left our post and went up to the place reporting it at the same time to our station. When we arrived there a Japanese, Kunizo Inouye, one of the violators was kept under the Consul's hand and the others were fled away. What we learnt from the British Consul is this. Mr. Sands, First Secretary of U.S.Legation in Japan and now lodging at Belle Vue Hotel in company with the son of the British Consul, was on his way back from the U.S.Consulate and at a place just down the British Consul's residence, he met the said Kunizo and many others and seeing they are to injure him he tried to soothe them, but in vain. They at last began to violate him and he defending himself with a stick tried to avoid them turning toward the residence of the British Consul. But being pursued by them he was compelled to take refuge near the said residence. The son of the Consul got back his house and reported to his father. The Consul at once came out and seeing many violators searching after Mr. Sands took hold of the said Kunizo and for the others while he was defending with a stick they all ran away.

We have delivered the said Kunizo to the police officer, Yamagishi. The Consul said he recognizes two of the violators and the police officer Ichiyama accompanied by his Consul sea searched after them in that vicinity but could not get any of them.

In that time, Police Inspector Hamada and Inspector Ichiki came. We by his order left the place and searched after in that vicinity. The statement of Kinzaburo Yamamoto servant of Mr. Glover was this:-

He hearing quarrel on the road outside his house went out and saw at the road lying between his house and the Consul's residence the Consul defending himself with a stick aga against many (seemed to be workmen) took hold of one and the others all fled away.

We have also found out that Sanjiro Mine, a scholar of the Missionary School in the Catholic Church saw this violence and asked the fact to him. He has stated that he has heard a violent quarrel on the outside and when he went out he saw a foreigner with a boy was running toward the British Consul's residence and two Japanese pursuing after. He does not know anything after that.

1st of January in the 31st year of Meiji.

(Signed) Takesaburo Ichiyama.
,, Sayu Yamagishi.
Police Officer belonging to the
Megasaki Police Station.

To

Michiyasu Misaki Esq.,
Police Inspector and Superintendent
of the Megasaki Police Station.

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P.S. We are in supposition that the violators are to be the workmen engaged in the establishment No. 16, Minami yamate.

The above is the true copy of the original.
11th of March in the 31st year of Meiji.
(Signed) Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

INSPECTION MADE AT THE PLACE.

At 1 p.m. the 1st of January in the 31st year of Meiji by a report from Polie OfficerSayu Yamagishi, on his standing watch at No. 6 Hatoba in Matsugaye Machi informing me that there has occurred at the British Consul's residence Minami yamate a case connected with foreigner, I in company with Police Offier Toshiji Mayema and Interpreter Kofuji Ichiki, left for the place. I met on the way with Police Officer Yamagishi taking Hichizo Inouye now residing at No. 49 Nakanohira, Jinjenji and of Futayemura, Amakusa, in Kumamoto Ken by birth. The said Hichizo was wounded at the lower part of his left eye and saw it bleeding. I asked him of the wound and am replied he was wounded by a foreigner name unknown. I have told Police Officer Yamagishi to take the man to the station and went up in haste to the British Consul's No. 1A, Minami yamate. Just then I found Mr. Longford, British Consul, talking to the Police Officer Takesaburo Ichiyama. What the Consul stated to my enquiry was this:-

At about noon to-day Mr. Sands, Secretary of the U.S. Legation, Tokio, and now staying here, met seven or eight Japanese on his way back from the U.S.Consulate and they unlawfully challenged and began striking on him Mr. Sands fled from them to my house and they pursuing after him came entering to my outer house. I with a stick stood against them and took hold of one and others all ran away. I delivered that one to a Police Officer.

By the aforesaid statement I have inspected the place. It was a rainy day and steps could be easily marked on the ground. I saw some steps marked on the ground at the place, but I could not recognize there had been any fighting or anything of such a kind. Carefully inspecting the place of the first occurrence I did not see anything unusual. After finish ing the inspection I asked of the residence of Mr. Sands the injured and learning that he is staying at the Belle Vue Hotel Minami yamate. I called at the U.S.Consulate and with a letter from the Consul I went to his residence and asked him of the fact and let the Dr. Hagemu Kankichi see him if he is wounded or injured.

The statement of Mr. Sands was this:-

I went to the American Consulate about noon to-day and on my way back I met four or five Japanese. They weere totally drunk and one of them took hold of my hand and did not leave me talking something himself. At this time he struck me with his umbrella

with his umbrella on my hat and I finding no way to avoid, struck him on his face with my fist. By this chance I went to the British Consulate residence and six or seven Japanese who were standing by at that time came after the one who was wounded seeing the wounded one following me. But they did not give any violence and went back after a while. The one wh who did the violence was delivered to a Police Officer with the help of the Consul. He also stated that the case is originated by intoxication and the violator is slightly wounded on his face, as he is revenged, he has no mind to sue against him. Inspecting his clothings and hat, a mud, about large as rin coin, was found attached on his trousers. By the examination of Dr. Hagemu Kankichi, not a bit of wound was found on his body.

After finishing the above, I came back to the station and and let the wound of the said Hichizo Onouye have examined and found as per attached inspection of doctor, to be recovered in four days, without resting from work.

I am now to make this inspection paper and put my signature with those who were present.

Beginning at 1.30 p.m. and ending at 4 p.m. the 1st day of January in the 31st year of Meiji.

Shoichi Kamada.
Police Inspector belonging to the
Megashi Station.
Toshiji Mayema, Police Officer
Kofuji Ichiki, Employe,
Present at the place.

The above is the true copy of the original.
11th day of March in the 31st year of Meiji
Clerk Jenjiro Iwamoto
Procurator's Office.
Nagasaki Chiho Saibansho.

Investigation.

Question. Your name?
Answer. Hichizo Inouye.
Q. Residence?
A. At present residing at Ichitaro Mesaki No.49 Nakanohira Jiujenji.
Q. Place of birth?
No. 105 Futayemura Amakusa, in the prefecture of Kumamoto.
Q. Class?
A. Heimin.
Q. Profession?
Carpenter.
Q. Age?
A. 38.
Q. Are you owner of the house?
A. "Hei".
Q. Are you not entitled to a pension or a decoration from the Government?
A. No.
Q. Are you not bestowed with a mark of attending the army?
A. No.
Q. Are you not punished until now?
A. No.
Were you the one that got into quarrel today at Minamiyamate?
A. I did not get into quarrel; but I was struck and wounded.
Q. By whom were you struck?
A. By a foreigner whose name I do not know.
Q. How many foreigners were there who had struck you?
A. Only one foreigner.
Q. How was his countenance and his age?
A. White countenance with small face and about 24 or 25 years of age.
Q. The place you were wounded?
A. Upper side of road in Minamiyamate.
Q. On what business were you there then?
Today being the Ist day of January, I went to the working place at Naminohira where Mosabura Mari of Jiujenji is now establishing, and I was on my way back.
Q. Were you alone or accompanied by others?
A. I was alone and no company.
Q. When you were struck did anyone help you?
A. No.
Q. In that time was there anyone seeing?
A. There was one by the name of Shomatsu Yoshioka.
Q. Where does that Shomatsu live and what is his proffession?
A. He is a carpenter also and lives at the shop of Mosaburo Mori in Naminohira.
Q. What is the cause of your being struck?
A. I was walking with a foreigner and spoke to him "Konnichi-"wa". He did not answer me;but struck me on my breast. I tried to ask him why and he at once struck me.
Q. With what thing did he strike you?
A. He has deprived of by umbrella and struck me with it.
Q. Where were you struck?
A. On my face ,loins, shoulders, and several times.
Q. What time was it, about?
A. I cannot say clearly, as I had no watch, but I think it w was about noon.

Q. You

Q. You were then wholly drunk?
A. I was totally drunk.
Q. What did that foreigner do, after he has struck youK
A. He did break my umbrella in striking me. He tried to pay 60 or 70 sen for this damage. But I have no reason to receive it and censured him of his striking me. He has run away then into a house in that vicinity and I have pursued after.
Q. What did you do after pursueing?
A. Two foreigners of the house helped him and three together struck me again with clubs.
Q. How could you run away from the place?
A. Foreigners kept me arrested and then police officer came and I could leave the place.
Q. Was it only you who have pursued after?
A. I was only the one.
Q. When you were arrested by foreigners were there not some others who have helped you?
A. There was none.
Q. There ought to have many assistants; you must say the truth.
A. It was known to the working place that I was struck, I think. Because three men came running to the place. It was after some time that they came and they were of no use.
Q. When those three men arrived was the police officer presen at the place?
A. Yes, the officer was present then already.
Q. Before the presence of the police officer many have tried to help you. Was it not?
A. No.
Q. Tell the name of those who came up from the working shop.
A. The two, Sanzo Hashimoto and Ichizo Inouye.
Q. You have stated before three men came up.
A. Three including myself. The men came up were two.
Q. Where was Shomatsu?
A. He has reported the accident to the working shop place.
Q. Have you anything more to state?
A. No.
Q. Did you not strike foreigner?
No, I did not.
Q. Can you write your name?
A. No.
Q. Have you seal with you?
A. No.

He has stated the above statement is true and has stamped with thumb instred of seal and his name was written down by me in his place, as he could not write.

Ist day of January in the 3Ist year of Meiji,
Toshiji Mayema, police officer Acting Inspector,
Megasaki Police Station,
Hichizo Inouve.

2nd Inspection.

Q/ When you went up to the residence of the British Consul were you not struck?
A. When I arrived to the gate of the house the Consul arrest ed me and struck me, on my back with a stick over two feet long
Q. Was there then someone who saw it?
A. There was a Japanese cook name unknown seeing it.
Q. Were not those who were with you struck at that time?
A. I was taken to the cook's room, being beaten, and I do not kno know

know of others.

The above has been read to him and he has stated the statement is true.

2nd day of January in the 3Ist year of Meiji,

Shoichi Kamada, Inspector,

Megasaki Police Station.

Hichizo Inouye.

The above is the true copy of the original.

IIth March in the 3Ist year of Meiji.

Jenjiro Iwamoto, Clerk in the Procurator's Offi

Nagasaki Chiho Saibansho.

Investigation.

Q. Tell the name.
A. Sanzo Hashiguchi.
Q/ Age?
A. I7 years--born in March.
Q. Class?
A. Heimin.
Q. Profession?
A. Carpenter.
Q. Residence?
A. Present residence is No.I6 Naminohiramachi and Futayemura, Amakusa, in Kumamoto ken by birth.
Q. Were you not punished until this day?
A. NO.
Q. Were you at the place where Hichizo Inouye has been struck on the Ist day of this month?
A. I was far back from him. I saw him running up the steps leading to the British Consulate and, thinking it strange, I went after him and saw foreigner taking him to the cook's room. At that time a foreigner of about 40 years and of a high stature said to be Chief Consul, struck on my buttock with a red colored stick and so I left the place at once.
Q. To what part of the foreigner's residence did you go up indicating to him the map?
A. I went up to the front of Shapane's house
Q. Was there anyone besides Hichizo?
A. I did not see any.
Q. By the statement of Ichizo Inouye, you and Hichizo and that Ichizo were there from the beginning.
A. Yes, it was so.
Q. Why do you conceal the fact?
A. I have concealed it being afr aid of the trouble afterwards.
Q. What time was it then, about?
A. About I P.M.
Q. Can you write your name?
A. No.

The above has been read to him and he has stated that it is true.

3d day of January in the 3Ist year of Meiji.

Jenjiro Iwamoto, Clerk in the Procurator's Office.

Nagasaki Chiho Saibansho.

Investigation.

23

INVESTIGATION.

Question. Tell your name.
Answer. Shoichi Yoshioka.
Q. Age?
A. 20 years; month born is unknown.
Q. Class?
A. Heimin.
Q. Profession?
A. Carpenter.
Q. Residene?
A. Now living at No. 16 Naminohira machi and Futayemura, Amakusa, in Kumamoto Ken by birth.
Q. Are you not punished until this day?
A. No.
Q. Have you been at the place when foreigner and Hichizo Inouye did something on the road of Minamiyamate on the 1st day of this month.
A. On the same day about noon I had drinks of congratulation at our working house No. 16 Naminohira with my mates. I have left the plae about noon and proceeded toward Oura. In passing Minamiyamate, Hichizo Inouye was going far ahead from me. I saw him quarreling on something with foreigner and the foreigner ran from him and Hichizo ran after him. I went after to see what it is and one or two foreigners were keeping Hichizo sit on a narrow way leading to Shapane's house and he was bleeding on his fae. This foreigner, shaking a stick, struck me oh my fae and so I left the place and went back to the working house and told the accident to the one in the house.
Q. Who was there then in the house?
A. One of the same profession but I do not know his name. I spoke to him and went out.
Q. After that six or seven Japanese went up to the foreigner's residence and asked to give them back Hichizo. Do you not know.
A. I do not know after that.
Q. Were you wounded, being struck by foreigner?
A. No.

The above has been read to him and he has stated this is true.
3rd December in the 30th year of Meiji.
Shoichi Kamada, Inspector,
Megasaki Police Station.
Shoichi Yoshida.

The above is the true copy of the original.
11th of March in the 31st year of Meiji.
Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

I N V E S T I G A T I O N .

Question. Tell your name.
Answer. Ichizo Inouye.
Q. Residence?
A. At the working house of Mosaburo Mari in Minami yamate.
Q. Birth place?
A. No. 1263 Shirokawara mura, Amakusa, in Kumamoto Ken.
Q. Class, profession and age?
A. Heimin, sawyer, and 39 years.
Q. Are you punished until this day?
A. No.
Q. Are you not entitled to decoration, or mark of attending army?
A. No.
Q. Do you not know the fact that Hichizo Inouye has been struck by foreigner yesterday the 1st?
A. I was at the working house and do not know of the fact. But by the information that he was struck, I went running to the place.
Q. Who has informed you?
A. I do not know the name.
Q. By that information, how many men went up to the place for rescue?
A. Three including myself.
Q. Who were they?
A. Sanzo Sakamoto and Ichitaro Miyazaki.
Q. The time?
A. I think it was about 1 p.m.
Q. How was Hichizo when you arrived at the place?
A. He was alone in a house belonging to a foreigner's residence, name unknown, at Minami yamate.
Q. Did you not go to the side of Hichizo with others?
A. No.
Q. Why did you not go?
A. We were objected by foreigner.
Q. How were you objected?
A. With stick. Sanzo Sakamoto has been struck on his buttock
Q. Was it in the road or inside of foreigner's residence?
A. It was inside of the residence.
Q. Was there any one besides you three.
A. No, there was none.
Q. Did the injured Hichizo Inouye come to the working house on that day?
A. He came and was on his way back.
Q. How many men did Hihizo accompany when he returned?
A. I was out then and do not know.
Q. Can you write?
A. No.
Q. Have you your seal?
A. No.

The above has been read to him and he has stated this is true.
2nd of January in the 31st year of Meiji.

Toshiji Mayema, Police Officer
Acting [illegible] Inspector in the
Megasaki Police Station.
Ichizo Inouye.

The above is the true copy of the original.

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Acting as Inspector in the
Megasaki Police Station.
Ichizo Inouye.

The above is a true copy of the original.
11th of March in the 31st year of Meiji.

Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

I N V E S T I G A T I O N .

Question. Tell your name.
Answer. Totaro Jinnai.
Q. Age?
A. 31 and born in the month of November.
Q. Class?
A. Heimin.
Q. Profession?
A. Daily worker.
Q. Residene?
A. Living now at the working house No. 16 Minami yamate and No. 14 Tagami mura, Nishisonogigun, in Nagasaki Ken.
Q. The place of birth?
A. As aforesaid.
Q. Are you ever punished?
A. No.
Q. Are you not present at the place when Hichizo Inouye did something with foreigner on the road Minami yamate on the 1st day of this month?
A. Past noon the same day, Ichijiro Omori informed that Hichizo Inouye has been struck at the foreigner's house, Minami yamate. I was afraid of the trouble afterwards, if this information was known to those in the house and so I took Ichijiro with me and went to the place. A Japanese, name unknwon, standing at the gate, told me not to step in and so I returned back. I do not know anything minutely.
Q. Was there any other Japanese present atthe place?
A. There was. But all returned, being told also not to step in.
Q. How many were there and tell their names?
A. Three or four Japanese whose namew I do not know.
Q. Did you not carry then either bamboo or club?
A. I did never do such kind. I did not see others carrying any.
Q. Whee does Ichijiro Omori live?
A. He was in the working house, but yesterday he went to Fukuoka district.
Q. Can you write your name?
A. I can.

The above has been read to him and he has stated this is true.

Q. Can you write your name?
A. I can.

The above has been read to him and he has stated this is true.

3rd January in the 31st year of Meiji.
Shoichi Kamada, Inspector,
Megasaki Police Station.

Totaro Jinnai.

The above is the true copy of the original.

11th March in the 31st year of Meiji.

Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

I N V E S T I G A T I O N .

uestion. Tell your name.
nswer. Kinzaburo Yamamoto.
. Residene?
. At present at Mr. Glover's and No. 20 Kozone machi, Nagasaki.
. Class, profession and age?
. Heimin, cook, age 43.
. Did you know that many Japanese went to the private residence of the British Consul, Minami yamate, at 0 a.m. this day?
. Hearing a cry I went out and saw two foreigners and one Japanese were taking in one Japanese.
. Tell the name of those two foreighers and their residence.
. One was the British Consul and the other I do not know.
. Who was the Japanese who was joined with the two foreigners?
. I do not know his name or his residence. But he was the boy of the British Consul.
. Tell the name and residence of one Japanese who had been taken in.
. I do not know. But he was the one now in the Station.
. Was there any other Japanese?
. When I saw there was none.
. Do you not know that many men went to the private residence of the British Consul?
. No, I know not.
. Can you write?
. No.
. Have you seal with you?
. No.

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The above has been read to him and he has stated this is true.

1st day of January in the 31st year of Meiji.

Shenji Kobayashi, Police Officer,
Acting as Inspector,
Megasaki Police Station.

Kinzaburo Yamamoto.

The above is the true copy of the original.

11th of March in the 31st year of Meiji.
Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

I N V E S T I G A T I O N .

Q. Tell your name.
A: Kinkura Toyama.
Q. Age?
A. 40 years, born in the month of March.
Q. Class?
A. Heimin.
Q. Profession?
A. I am in the servie of the British Co nsul private residene.
Q. Residene?
A. No. 1 Minami yamate and No. 145 Iriyamate mura, Higashi Chikuma gun in Nagano Ken.
Q. Have you ever punished?
A. No.
Q. At about 1 p.m. yesterday some Japanese came up to the British Consul's house and did they anything at that time
A. Past noon yesterday a secretary of Legation, name unknown, and the consul's son (about 12 years) went to the U.S. Consulate and on their way back, they met three Japanese and one of them took hold of the Secretary's clothing from backside and so he has turned back. Then he has struck with his umbrella on the Secretary's head. The The Secretary tried to shake him off but finding he could not he struck on his fae and getting this chance got back to the British Consul. The tree Japanese came after the Secretary and when they camw to the entrance of Mr. Shapane down side of the Consul's house, I heard a loud voice and noise, and went out to see what it is and saw three Japanese at the entrance of Mr. Shapane. The Consul was striking those three with stick. I went to the place and was told to bring rope and he will arrest he said. I stopped him saying it is not good to do so ad and better to inform to the police officer. I at one informed the police officer.
Q. What became of two Japanese who were present then?
A. They were looking at one Japanese struck by the Consul, and they went away.
Q.

and they went away.
Q. Were those two Japanese also struck by the Consul?
A. I do not know if he has stuck them, before I went to see, but after that I did not see him strike.
Q. I have heard seven or eight Japanese were there then. Do you know anything of it?
A. After that two Japanese went away about six Japanese came with bamboo or club and spoke to me that the Japanese is so injured and asked me why are you to help the foreigner. I have told him, if you quarrel here and if you are wounded it is disadvantage to you. But go to the police officer and ask for the right proceeding. They then went away doing nothing.
Q. To what place did those six Japanese come?
A. To the front side of Mr. Shapane's.
Q. Then the Japanese did not come into the consul's residence
A. They did not come.
Q. What nationality is Mr. Shapane?
A. I do not know.
Q. Whay did they go to the entrance of Mr. Shapane?
A. The Secretary went into his house and so they came after him.

The above has been read to him and he has stated this is true.

2nd January in the 3ist yarr of Meiji,
Shoichi Kamada, Inspector,
Megasaki Police Station.

Kinzo Toyama.

The above is the true copy of the original.

11th March in the 31st year of Meiji.

Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

I N V E S T I G A T I O N .

Q. Tell your name.
A. Ichimatsu Miyazaki.
Q. Residene?
A. No. 49 Nakanohira, Jinjenji, Nagasaki.
Q. Class, profession and age?
A. Heimin, carpenter age 34 years.
Q. Birth plae?
A. Skasegawa mura, Amakusa, in Kumamoto Keh.
Q. Are you ever punished?
A. No.
Q. Are you not entitled to any rank, decoration, pension, or mark of attending army?

A. No.
Q. Do you know that there was a trouble at the private residence of the British Consul, Minami yamate, yesterday the 1st?
A. I do not know.
Q. Did you not hear anything of it?
A. No.
Q. Where have you been yesterday?
A. I was at the workhouse No 26 Minami yamate.
Q. From what time to when?
A. Before 8 in the morning up to about 3 in the afternoon.
Q. Did you not leave the place during that time?
A. No.
Q. When did you get home?
A. About dusk.
Q. Did you stop on your way back?
A. I was drunk, I do not remember where I did stop.
Q. With whom had you drinks and where?
A. With many carpenters. The plae was in the workhouse. Kosataro Iwasaki and another Iwasaki and myself remained in the house and continued drinking.
Q. When did you commence drinking?
A. From about 10 o'clock in the morning.
Q. When the police officer called you this morning about 8.30 why did you go out from the backside of your house?
A. The boy of Yahei Jihara in the neighbour died. I went to see him and I never fled.
Q. What is your wound in the forehead?
A. I got this by ladder some days ago at the workhouse.
Q. You say you do not know the trouble at the British Consul's. But others say you were there with others.
A. No I never went there.
Q. Can you write?
A. No.
Q. Have you seal?
A. No.

The above has been read to him and he has stated this is true.

2nd January in the 31st year of Meiji.

Jenji Kobayashi, Police Officer,
Acting as Inspector,
Megasaki Police Station.

Ichimatsu Miyazaki.

The above is the true copy of the original.
11th March in the 31st year of Meiji,
Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

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DOCTOR'S EXAMINATION.

Mr. William Franklin Sands,
U.S.Legation, Tokio.

He is said to have been struck by a drunkard while he was passing Minami yamate Machi in Nagasaki Concession at about 1 p.m. the 1st day of January in the 31st year of Meiji. I the undersigned in company with the police inspector, Shoichi Kamada, of the Megasaki Police Station, visited him at his hotel and found nothing unusual all over his body.

1st day of January in the 31st year of Meiji.

Dr. Hagemu Kankichi,
No. 61 Naminohira machi,
Nagasaki.

The above is the true copy of the original.

DOCTOR'S EXAMINATION.

Hichizo Inouye, aged 40 years carpenter, residing at No. 40 Nakanohira, Jinjenji, and of Fukayemura, Amakusa, in Kumamoto Ken.

He is said to have been struck by a foreigner on his face with umbrella in trying to censure him of his not answering to his speaking him, meeting the said foreigner on the way passing Minami yamate machi in Nagasaki Concession from his New Year's visits and being drunk, at about 1 p.m. the 1st of January in the 31st year of Meiji.

Present condition. Two wounds on the face; one is under the left eye and a sken is slightly stripped and showed purple color. Bleeding from the nose. The other is the blunt wound on the under side gums.

The above wounds are caused by striking with some dull articles and can be recovered in four days without resting from work.

1st day of January in the 31st year of Meiji,
Dr. Hagemu Kankichi,
No. 61 Naminohira machi,
Nagasaki.

This is the true copy of the original.

11th March in the 31st year of Meiji.
Jenjiro Iwamoto
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

Hichizo Inouye,
No. 49 Nakano hira, Jinjenji,
Nagasaki.

I hereby ertify that I keep the aforesaid Hichizo Inouye on bail and I am to take him to the Station at any time he is summoned.

2nd January in the 31st year of Meiji.

Ichimatsu Miyazaki,
No. 49 Nakanohira, Jinjenji,
Nagasaki.

To

Michiyasu Misaki Esq.,
Inspector and Superintendent of the
Megasaki Polie Station.

The above is the true copy of the original.

11th March in the 31st year of Meiji,
Jenjiro Iwamoto,
Clerk in the Procurator's Office,
Nagasaki Chiho Saibansho.

I N S P E C T I O N .

I the undersigned made the following inspection at the place on the 6th day of January in the 31st year of Meiji in the cas connected with foreigners that Hichizo Inouye and four others striking William Franklin Sands an American Citizen and Secretary of the U.S.Legation in Seoul, Corea, and also violently entering into the ground of the private residence of J.H. Longford, H.B.M's Consul, No. 1 Minami yamate machi. As Mr. Longford is connected in this ase as personally and besides he has sued for their violently entering into his ground I have called him at the Consulate to ask him to be present at the plae with me. But he said he could not do so on account of his official duties. I then asked him to let his servant Kinzo Toyama present at the plae and got his consent of doing so and he made the following statement.

About noon on the 1st day of this month I was informed by my son that five or six Japanese with clubs came pursuing after Mr. Franklin Sands, Seretary of U.S.Legation in Seoul, Corea, into my residence at Ipponmatsu, Minami yamate machi. I by this information went out of the house and proceeded to the front side of Mr. Shapane's house and then Mr. Sands and Japanese were fighting. I was of opinion that this struggle

came on fr m the front gate alongside the public road of the Minami yamate machi (a place marked with red dots in the map) and assuring myself to defend with right reason I struck two or three Japanese with my stick and for one Japanese who camei in advancing. I stood at the stone steps that lead to Mr. Shapane's house and stopped him from his violently entering into. I have tried to tie up the one whom I had struck but my servant called intpolice officer and I have delivered him to that offier. The Ipponmatsu, in Minami yamate machi, is my residence and nobody may freely come in to the insode from the public road. The protetion of the police officers is not secure and I wish strict punishment may be given in this case and stop the occurrence of such future crime.

After this statement is heard I left the Consulate and went to his private residence No. 1 Minami yamate machi and made the following inspection with the presene of Kinzo Toyama, his servant.

As seen from the annexed map the ground of the Conaul's private residence is situated on a higher part going up from the public road at the inclination of 1 and 2 and entering into into for a distance of over 100 ken and adjoining to the west part of the Catholic Church.

If any one wants to go to his residence he is to pass the front part of Glover's house (as marked E) and advancing over 20 ken he comes to the front entrance of Shapane's house (as marked A. B.) and stepping up the steps there he is to get into the limit of the Consul's residence. For example his residene could be get in from the public road of Minami yamate machi but it is to pass the front part of Glover's house and also that of Shapane's and step up the stone steps about one ken high. The way marked with red dots in the map shows the private passway and leads not only to the Consul's house but also to Glover's and Shapane's and if advanced straight it leads also to other foreigners' houses, and accordingly the private road is not only for the use of the Consul but for all others. Besides this road there is a clear limit of each residence, a notice is posted alongside the road prohibiting the entrance of useless men and thus clearly distinguishes its own limit and this private road may be understood thqt any one may pass. The place that Hichizo Inouye and Shoichi Yoshioka are said to have struggled coming up after Sands is the one marked A. as stated by Kinzo Toyama, the Consul's servant. He has stated that the Consul arrested thee Hichizo and was striking him with his stick and when he saw me coming out told me to being rope to tie him up. I have stopped him from his doing so and I saw two others (Sanzo and Shoichi) struck by the Consul at the front entrance of Shapane They went away, and again about six Japanese came up with bambe boos or clubs to the place marked C. I have told him not to

to do any violence and they went away. I have delivered Hichi zo to the police officer present. Hichizo and many others came up to the front entrance of Shapane's and they did not step in, even a step, to the limit of the Consul's residence. I know the origin of struggle and the place of first occurrence.

After the statement is heard I have finished this inspection I found the time from IO:20 P.M. to II:50 A.M. the 6th day of January in the 3Ist year of Meiji.

In this inspection Saibansho clerk Hirotaro Ogawa acted as interpreter and inspector; Shoichi Kamada of the Megasaki Police Station was also present.

This inspection is written outside the court and no official seal is used.

Hishashi Hazama, Procurator.
Nagashi Takamoto, Clerk.
Procurator's Office
Nagasaki Chiho Saibansho.

The above is the true copy of the original.
IIth March in the 3Ist year of Meiji.
Jinjiro Iwamoto, Clerk.

In the Procurator's Office
Nagasaki Shiho Saibansho.

Investigation.

Q. Tell your name, age, class, profession, and residence.

A. Hichizo Inouye, 38 years, Heimin, carpenter, resides ta Nakanohira, Jinzengi and of Futayemura, Amakusa in Kumamoto Ken by birth.

Q. Any punishment before?

A. No.

Q. Have you struck Sands, an American, on the road of Minamiyamate on the Ist of January this year?

A. On the same day, I was passing Minamiyamate and met a foreigner whom I thought to have known to him. I spoke to him "Konnichiwa". He then turned back to me and struck me on my eye with his fist. I tried to stop him, shakking my hand. He then deprived my umbrella and broke the handle. I asked him why in Japanese and he took out some money. I said I do not want it and he has pushed me down and began to run away. T did not strike him.

Q. When you met Sands? Was there anyone who has accompanied you?

A. Yes. I was in company withShoichi Yoshioka.

Q. After that where did Sands go?

A. I went pursuing after him on the road to the Glover's house, going in about two or three came. Then there was a Japanesecook standing on the road and I have talked to him of my disaster. The Consul and Sands came out together and they

two

two struck me and was taken to the cook's room by them and at last delivered to the police officer.

Q. With what did the Consul strike you?

A. With a red round stick.

Q. With what did Sands strike you?

A. With his fist.,

Q. The wounds that you are inflicted as doctor's examination which you have delivered to the office, are the ones that you have got on that time?

A. Yes, it is so.

Q. Can you distinguish which wounds the Consul gave you and which by Sands?

A. I was inflicted at the same time and I cannot distinguish.

Q. When you were striking by them? was the Japanese cook by your side?

A. Yes he was looking at but did not strike me.

Q. Whose Employe is that cook?

A. I do not know.

Q. When you were striking by them, what was Shoichi Yoshioka doing?

A. When I was striking by them Shoichi came up and he was also struck by the Consul and fled away. Sanzo Hashiguchi came up also. He was fled away also, being struck.

Q. When you have pursued after Sands, did you go to the place marked in the map, say to the front side of Shapane's house

At this time the map was shown to him.

A. No I did go only to the gate of the front entrance.

Q. By the statement of the British Consul you and two or three others came up to the front of Shapane's house violating and he was struck you in defending himself.

A. No, it is not so, I only went to the gate and I did not do any violence.

Q. But if you did not go to the front of Shapane's house and violatethe Consul will not come.

A. I did not do that. I have advanced to a place about two ken into the interior from the gate marked G. Then I met the aforesaid cook. The two foreigners came out and struck myself and Shoichi and Sanzo.

The above has been read to him and he has stated it as true statement.

Hichizo Inouye.

I2th day of January in the 3Ist year of Meiji.

Shitashi Hazama, Procurator.

Nagashi Takemoto, Clerk.

In the Procurator's Office,

Nagasaki Chiho Saibansho.

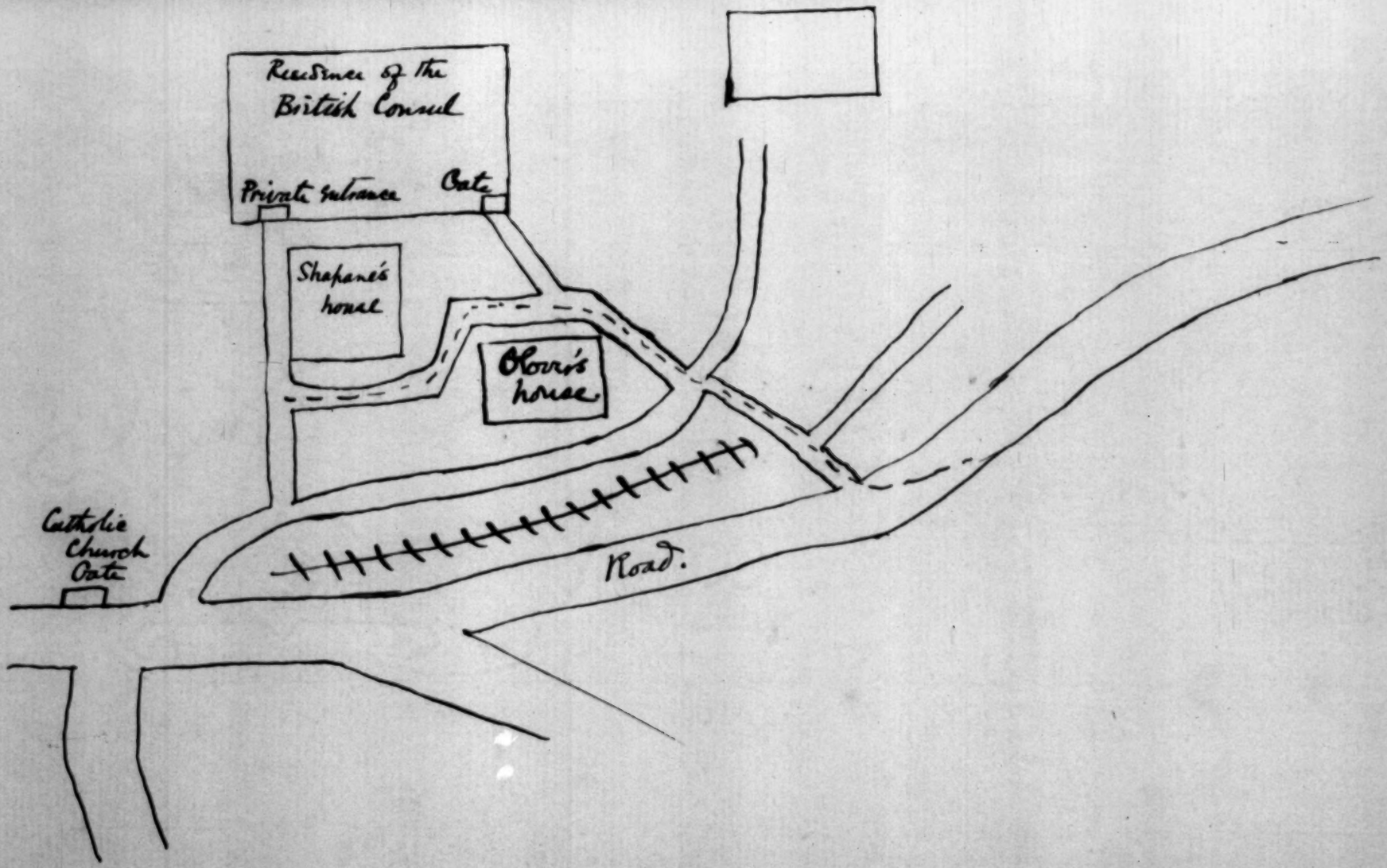
The above is the true copy of the original.

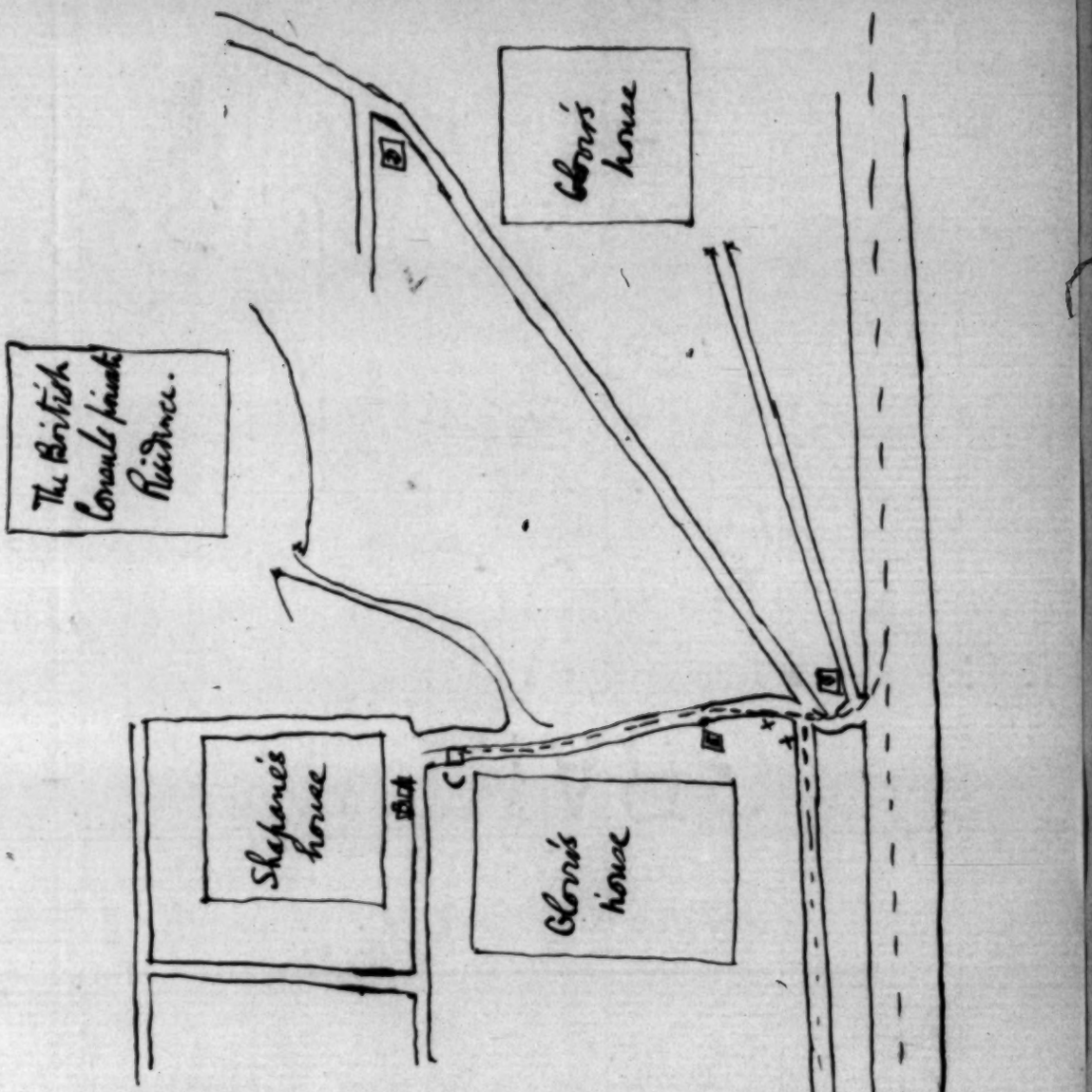
IIth March in the 3Ist year of Meiji.

Zenjiro iwamoto, Clerk,

In the Procurator's Office,

Nagasaki Chiho Saibansho.


Residence of the British Consul
Private entrance
Gate
Shapane's house
O'Connor's house
Catholic Church Gate
Road.



A — Points that place that the British Consul after leaving his house came out to the midst of Sands and Hitchings struggle and arrested Hitchings.

B — Points the place that the British Consul stopped others from coming in.

C — Points the place that others who have tried to rescue gathered themselves here.

D — Here a notice is posted "No admittance".

E — Gate leading to Gloria's house.

F — Entrance from Minamuyamaté road. The British Consul says they have violently entered from this side.

G — These dots show the way pursued in struggling.

Copy.
No.78.

Consulate of the United States,
Nagasaki, March 16, 1898.

Y.Komatsubara, Esqre.,
Governor of Nagasaki Ken,
Kencho.

Sir:

I have the honor to inform you that in the record of the examination which you were so good as to have caused to be sent to me on the 12th instant there is no mention of the evidence having been taken, of a native servant commonly called "To", he being a servant of Mrs.George, a British subject, living at Minami Yamate, ant I have reason to believe that person witnessed part of the original offence to Mr.Sands and was appealed to by him (Mr.Sands) for assistance.

As the Procurator has made his decission in the matter of the assault upon Mr.Sands, and the matter being out of his hands, I respectfully request that you will be so good as to have the statement of the native servant (before mentioned) taken in regard to what he knows in regard to the assault upon Mr.Sands, and that I be furnished a copy of such statement, to the end that I may have an entire record of the proceedings in the case.

I have reason, also, to believe that the witness Ichimatsu Miyizaki was one of those who pursued Mr.Sands and into the grounds of Ippomatsu, and was engaged in the assault upon Mr.Sands when Mr.Longford arrived on the scene. If this is so he may possibly be identified by Mr.Longford, and I have the honor to respectfully request that you will take such step as will give Mr.Longford an opportunity of doing so.

I have the honor to be,
Sir;
Your obedient servant,

(Signed) Charles B. Harris,
U.S.Consul.

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(Copy) No.36.

Nagasaki Kencho,
March 25th, 1898.

Sir:

I have the honor to acknowledge the receipt of your letter dated the 16th instant, requesting me to have the witnesses examined in regard to the assault on Mr.Sands, an American citizen.

I beg to send you herewith enclosed a copy of the statements of two witnesses examined according to your request.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) Y.Komatsubara,
Governor of Nagasaki Ken.

Charles B.Harris, Esq.,
U.S.Consul, Nagasaki.

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HEARING.

Q. Your name?
A. Tozo Murohashi.
Q. Age?
A. 31 years.
Q. Original residence?
A. No. 20, Shinjo mura; Kambara gun, southern part in the Prefecture of Niigata, and at present living at Mr. Glover's a British subject, in Naminohara yamate, Nagasaki.
Q. Your profession?
A. I am a cook, employed by Madame George, a British subject, in Naminohara yamate, Nagasaki.
Q. Have you not seen the atual place that a Japanese Hichizo Inouye struck Mr. William Franklin Sands, Secretary of the U. S. Legation at Seoul, Corea, and then staying at the Belle Vue Hotel, No. 11 Minami yamate, at about 1 o'clock P.M. the 1st day of January this year?
A. As it was the 1st day, Madame George was invited to Mr. Ringer's and I from about 30 p.m. went there to serve at the table and so I do not know anything that I am now asked of.
Q. Have you not heard anything of it?
A. An American has passed back part where I live. I thought then that he is going to say New Year's congratulation In that time two Japanese came up pursuing after him. But I did not come to notice if there had been any quarrel about.
Q. What became after that?
A. There lives Mr. Saihas, a British subject, just at an upper house from mine. Mr. Sands went into that house and two Japanese came pursuing after him. The British consul living at the upper house was heard striking Japanese. I went out to see it. Then the consul was loudly telling his boy to call Police Officer. I have no connection about and so I did not go to the side.
Q. Have you seen Japanese strike Mr. Sands?
A. I do know nothing of it.
Q. Have you seen the British Consul striking.?
A. I have heard of the noise went out at once and he was striking.
Q. What was he striking with?
A. With bamboo stick.
Q. What was Mr. Sands doing then?
A. I did not see him.
Q. What did the two Japanese do then?
A. There were caught by the consul and his boy.
Q. Have you not seen some sign that Japanese strike Mr. Sands?
A. When I saw, the Consul was striking Japanese.
Q. What time was it about that you saw the quarrel?
A. I think it was about 40p.m. I was to be ready at one o'clock dinner and so I left the place right soon.
Q. When Mr. Sands and the two Japanese have passed sidewa way of your housedid you recognize them to be in quarrel?
A. I thought they wee in the New Year's visit and they will be on way to go round to the front of the house.
Q. How did you come to know it was quarrel?

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A A. Hearing the noise I went out to the back part of the house and understood then it is a quarrel. I was only about 5 or 6ken apart from the plae.

Q. Can you write your name?

A. I can write.

The above has been read to him. He has stated that the above statement is true and he has signed and stamped with me.

(Signed and stamped) Hachiro Fukukawa,
Inspector.
At the Miyasaki Police Office
(,, ,,) Tozo Murohashi.
18th Day of March in the 31st year of Meiji.

ADDITIONAL QUESTIONS.

Q. Write you were seeing, didn't many others come besides the two Japanese?

A. No.

Q. Do you know the name of the two Japanese?

A. I have no acquaintane.

Theabove has been read to him. He has stated that the above statement is true and he has signed his name and stamped with me.

(Signed and stamped) Hachiro Fukukawa,
Inspector.
At the Miyasaki Police Station.
(,, ,,) Tozo Murohashi,
Yoshio Miyahara, Police.
In witness and clerk.

I N V E S T I G A T I O N .

Q. Your name?
A. Ichimatsu Miyasaki.
Q. Residence?
A. A. 4, No. 49 Nakanohira, Jinjinji, Nagasaki.
Q. Class, profession, and age?
A. Heimin, carpenter, and 34 years of age.
Q. Your birth plae?
A. Sakasegawa mura, Amakusa gun in the Prefecture of Kumamoto.
Q. Have you not imprisoned or fined?
A. No, I am not.
Q. Are you not honored with decoration rank, pension, or signature of attending army?
A/ No, I am not.
Q. Do you not know of a disturbance yesterday at the private residene of the British Consul, Minami yamate Mq chi, Nagasaki?
A. I do not know.
Q. Have you not heard anything said about it?
A. No, I did not hear.
Q. Where were you the yesterday?
A. I was at the workhouse of No. 26 Minami yamate Machi.
Q. From what time to what time?
A. Before 8 in the morning up about 3 in the afternoon.
Q. Did you not leave that place during that time?
A. No.
Q. When did you get home?
A. I got home about dusk.
Q. Did you stop at any plae on your way back to home.
A. As I was druhk with sake I do not know if I have stopped on the way.
Q. At what place and with whom had your drinks?
A. I had drinks with many carpenters (names and residence unknown) I an two others one was Kotaro Iwasaki and the other Iwasaki, his given name unknown, were left behind and still had drinks. The place was the same workhouse.
Q. When did you begin drinking?
A. From about 10 o'dock in the morning.
Q. When a police officer called you this morning say about 8.30 why did you go out to the backside of the house?
A. I was to go to Yahei's, my neighbour. He has lost his son. I was not to run away.
Q. How did you get that wound on your face?
A. I got this wound with a ladder about 10 days ago at the work plaee.
Q. You say you do not know the disturbance at the British Consul's house. But othes say that you were there then also. How is that?
A. Others may say but I never went thes.
Q. Can you write your name?
A. No, I annot
Q. Have you your stamp there?
A. No, I have not.

The above has been read to him. He has stated that the

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above statement is true. In place of his signing his name, I have signed for him and let him stamp with his thumb.

2nd day of January in the 31st year of Meijk.

Shinji Kobayashi, Police,
Acting as Inspector.
At the Megasaki Police Station,
Ichimatsu, Miyasaki.

(Copy)

In the matter of an assault on William Franklin Sands, an United States citizen, on the Ist day of January I898.--statement of Terence Ackley Fitzmaurice Longford, a British subject.

I remember New Year's Day. It was raining, I think, until about eleven o'clock. I went to see Mr.Sands at the Belle Vue Hotel some time in the morning. I went by myself, but I forget what for. I went to his bed room first, but he was not there. Then I went to the smoking room where the bar is and he was writing a letter. When he finished the letter we talked about bicycles, hiring horses, and all that sort of thing, and then we both went to Dr.Abercrombie's. I just went with him and at Dr.Abercrombie's house I waited outside while he went in. He came out and then we both walked back to the Belle Vue Hotel. When we got outside Dr.Abercrombie's gate we walked along the road and in front of us there was a line of rowdy Japanese men right across the road, nearly filling it up, all in one line. Mr.Sands and I were walking quicker than they and we got past them. We just walked right past them. I was on the far side and did not touch them. Perhaps Mr.Sands did accidentally, but I don't think he did. They said something very loud which I did not understand, a sort of singing just like the Japanese sing , only much louder. Neither of us said anything to them. After we passed them three of them turned and walked back the same way and only two were left, a big burly man and a little man. The big burly man came in front of Mr.Sands holding out a Japanese umbrella, placing it agains the wall in front of Mr.Sands, I think to prevent him passing. He was perfectly drunk, shouting Do do. The little man was running behind with his umbrella every now and then shouting out things in Japanese, holding out the umbrella and grabbing at Mr.Sands's arm. He did not touch Mr.Sands with his umbrella then. He was perfectly drunk, saying all sorts of gibberish. He wobbled a bit but could walk all right. The big one did not wobble but even stinked of sake. I could smell it two yards from him. Mr.Sands had his cape slung over his back but his arms were out. This went on till we got to Mr.Glover' gatewhere Mr.Glover's boy was standing. Mr.Sands asked him to explain to these Japanese and the boy kept the two Japanese there talking. I don't know what he said. We left them and went on and got down to the bottom of the hill. Just as we got to the bottom I heard a great noise behind and the two Japanese came running down shouting and the little one came behind Mr.Sands and gave him a bang, a good hit on the back of the head with his umbrella right up above the shoulders. The big man was running 'round shouting Do do, just like the bettoes in Tokio shout to the horses when they want them to stop. Mr.Sands knocked the little man down into a sloppy puddle where the ground was wet. The little man got up and began to o for Mr.Sands again. The big drunk man grabbed at Mr.Sands's cape and it came off. Mr.Sands knocked the little man down

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a second time and when he got up his nose was bleeding. I picked up Mr.Sands's cape and came running up to Ippomatsu to tell father. When I left Mr.Sands there were only the two Japanese right at the lower gate opposite where the Russian ladies live. When I told father he went out with a stick and boy and cook came and when we got down the garden Mr.Sands had backed up into Mr.Shepherd's garden. He was standing there with a whole crowd of about ten drunken Japanese shouting in front of him. Father went into the midst of the crowd and was knocking about with a stick and the boy came too with a stick. Father sent the boy to call the police and when the drunk people heard the police were sent for they all ran leaving the little fellow who began at first with father and Mr.Sands. Father brought him up to the house in the yard where the bath water is boiled and kept him there till the police came and took him away. While we were on the road the two Japanese kept bothering us all the time, shouting to us in Japanese which I could not understand, getting in front quite close to us, every now and then touching us. They did not go for me much. Mr.Sands never hit them till at the bottomof the hill. On the road we just walked straight on not taking any notice of them. I don't know how the little man's umbrella was broken. It was a foreign umbrella. Mr.Sands did not take it from him. He had his hand in his pocket at one time and may have offered the men money, but I did not hear it. I did not see any money. They annoyed us the whome way from where we passed them just by Mr.Ringer's farm till Mr.Glover's gate. They did not then hit us at all. I don't know what became of the other three. They walked back singing and talking. I was not frightened--why should I be--they were both drunk. I am certain all this is true. I remember it perfectly well. I am nearly eleven years of age. I understand what an oath is and that the statement is true as set forth by me.

Signed) Terence Longford.

Sworn to and subscribed before me this I9th day of March, I898.

(Seal) Signed) Charles B.Harris,
United States Consul at Nagasaki, Japan.

I certify that Terence Longford the person signing the foregoing statement is the same identical person named as Terence Ackley Fitzmaurice Longford in the heading of the statement.

(Signed) Charles B.Harris,
U.S.Consul.

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(Copy) No.6I.

LEGATION OF THE UNITED STATES,
Tokyo, Japan, April 9, 1898.

His Excellency
Baron Nissi Toczizo
His Imperial Japanese Majesty's
Minister for Foreign Affairs.

Sir:

Referring to a conversation which I had with Your Excellency some weeks ago, relative to the assault claimed to have been committed on January Ist last, upon Mr.William F.Sands, Secretary of the Legation of the United States at Seoul, Korea, by certain Japanese at Nagasaki While Mr.Sands , en route to his post, was passing through that city; and also to my statement at that time that I soon expected, in addition to the papers already handed you, a copy of the official record in that case, when I would communicate again with Your Excellency, I have the honor to state that on March 3Ist I received from from the United States Consul at Nagasaki a complete transcript of the evidence in the case adduced at the police examination of Shichizo Inouye, who was charged with the assault together with a sworn statement of Terence Longford (herewith enclosed), son of the British Consul at Nagasaki, who was with Mr.Sands at the time of the assault and a witness of all the circumstances attending it.

My delay in again communicating with Your Excellency on receiving a transcript of the record of the police examination was owing to the desire and expectation I have had of another personal interview and at the same time to submit to Your Excellency additional facts as evidended by the papers received in the case; but by reason of the illness of Your Excellency I have not had that opportunity.

I suppose that the Department of Foreign Affairs, as well as I, has received a transcript of the police proceedings in the case. If not I shall be pleased to send to Your Excellency for inspection the translation furnished me by the United States Consul.

A careful analysis of the testimony of the witnesses at the police inquiry as given in the transcript, establishes without doubt that on New Year's Day a number of Japanese Carpenters, some ten or more, had been drinking in a workshop at No.I6 Naminohira Nagasaki; and that shortly after noon four of these men, by name Shichizo Inouye, Shomatsu or Shoichi Yoshioka, Sanzo Haseguchi, and Ichizo Inouye, all, in a more or less drunken condition, left the shop and almost immediately afterwards they met upon the street Mr.Sands, who with Terence Longford, the son of the British Consul at Nagasaki, was on his way from the American Consulate to Mr.Longford's residence.

A struggle insued between Mr.Sands and two of the men, one of whom, upon his own statement, wasShichizo Inouye:. Mr. Sands fled from the scene of the struggle to the entrance of Mr.Longford's premises pursued by Shichizo Inouye, Sanzo Hashiguchi and Ichizo Inouye, whlle Shoichi Yoshioka hurried to the workshop, called the other carpenters, and with them returned to the Longford premises to assist the three, who were then in a conflict with Mr.Sands and Mr.Longford.

The above is a resume of the testimony of the carpenters —all friends of Shichizo Inouye, who was handed on to the police by Mr.Longford, and charged with the assault. There now remains only the question of the assault. All the carpenters

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penters agree that there was a struggle between Mr.Sands and Shichizo Inouye, followed by Mr.Sands's flight pursued by the three men named above. Shichizo Inouye says that it was with friendly intent that he accosted Mr.Sands, and that he offered no rudeness and committed no assault, though he stands charged with the assault. His statements conflict with the testimony of others and are denied in part by one and another of his friends who were examined.

It would seem that the statement of thisman should have been received with great doubt; but that it was not so received by the Procurator is evident. He seems to have ignored the sworn statement of Mr.Sands, and he takes no steps to secure the evidence of Terence Longford, not that of Saijero Mine who witnessed the assault. And a few days after the assaul the Procurator, when informed thay Sands desired to know if he was wanted in the prosecution of the case before leaving Nagasaki, he informed the United States Consul, Mr.Abercrombie it is claimed, that he had all the evidence necessary, with which to prosecute the case.

After the testimony of the carpenters, Mr.Longford's servant and the statement of Mr.longford, and that of his sonTerence Longford,all corroborative of the charge made by Mr.Sands it seems incredible that the Procurator should have refused to press the charge against Shichizo Inouye.

In view of the unfortunate feeling that is growing between the foreign residents at the open ports and certain classes of Japanese, I am sure that Your Excellency will agree with me that every case where unprovoked assault is charged, whether committed by a Japanese upon a foreigner or by a foreigner upon a Japanese, should be thoroughly investigated and the offenders severely punished.

Instead of making a vigorous prosecution in this caseto judicially determine who was thw guilty party, and to that end summoning Mr.Sands, Mr.Longford and Saiejiro Mine to appear and testify in the court, the Public Procurator, on ababdoning the prosecution, writes to the United States Consul "that it s is rather to be suspected that Mr.Sands may have assaulted Shichizo", from which it would seem that an unprovoked assault having been made upon a diplomatic officer of a friendly country en route to his post, the course taken by the Procurator was no less than a neglect of duty.

I regret to say that the facts and circumstances of this case, as they appear to me, are such that I regard it asincumbent upon me to urge Your Excellency to have steps taken to secure a trial of the men charged with the assault upon Mr.Sands. He informs me that he will be ready at any time to return to Nagasaki to appear before the court.

Charged as Mr.Sands is, in some of the newspapers, with having been guilty of instigating the difficulty, and the Procurator, as it is claimed, in reply to a letter of United States Consul Abercrombie a few days after the assault, having stated that he had all the evidence necessary with which to prosecute the case, without Mr.Sands's presence, and subsequently having stated in a letter to United States Consul Harris, of date February 23d, that it may have been Mr.Sands who assaulte Shichizo, it would seem that the ends of justicerequire a trial of the case on its merits by bringing all the parties and witnesses into court. In this view I have no doubt that Your Excellency will concur, and cause such action to be taken as will secure the ends of justice in the case.

I avail myself of this occasion to renew
o Your Excellency the assurances of my highest consideration.
(Signed) A.E.Buck.

Enclosure:
Copy of sworn statement of Terence Longford, as above.

Translation Copy

Memorandum of the Nagasaki Assault Case,
(Prepared for the Foreign Office by the Department of Justice).

In the case of Inouye Shichizo defendant in the case of assault from the several documents and witnesses the following facts appear:

I. From the written statement of Mr.Sands, the American, who is said to have been assaulted, it appears that on January Ist 1898, about 12 o'clock noon, as he was leaving the gate of the American Consulate, he met four Japanese who from their appearance seemed to be laborers and very drunk. The said Japanese suddenly surrounded him, pulling his clothing and catching hold of his arm. At first he pushed them quietly aside and passed on. They came running after them and when they seemed about to attack him he attempted to reason with them, but as they did not understand each other's language he was unable to explain when a servant came out, and he instructed the servant to order the Japanese to not interfere with him and again started on. When he was in front of Mr.Longford's house he was suddenly struck in the back of the head, whereupon he struck one of the Japanese in the face, drawing blood. At the sight of the blood the other two attacked him, forcing him into the garden; and while he was doing his best to defend himself, taking advantage of a flight of steps for defence from behind several men armed with bamboo poles and clubs came to the assistance of the other side wlile another ran to call still others to the assistance.

Mr.Longford however came out with a servant and drove off the assailants, and seizing the one who had been most troublesome from the first turned him over to the police.

II. According to Inouye Shichizo's statement it appears that on January Ist, having, according to custom, drunk some saké, he went out of the work shop and was passing along the upper road of Minamiyamate where he met a foreigner, about 23 or 24 years of age. Thinking that the foreigner was one whom he knew he said "How do you do" to him; whereupon the foreigner without a word struck him on the thigh. When he demanded the reason for that he was unjustly struck in the face, thighs and back and his umbrella broken. The foreigner offered him money to pay for the umbrella but he refused it and when asked why he had struck Shichizo the foreigner ran into the neighboring garden followed by Shichizo. While the latter was conversing with a Japanese cook whom he met in the road, two foreigners came out and took him to the kitchen of the Consul, where the latter beat him with a round red stick. The first beating was seen by a servant, Yoshioka Shomatsu, and the second by the two foreigners, was witnessed by the cook.

III. Hashiguchi Sanzo (laborer age 17), who saw the affair at the beginning, testified as follows:

As I was coming along quite a distance behind, I saw Inouye Shichizo going up the hill into the English Consulate. I went along to see what the matter was and saw a foreigner take Shichizo to the kitchen and the Consul with a red Stick was striking him accross the thighs. I then went away.

IV. Another witness, Yoshioka Seiichi (same occupation as Shomatsu), age 20, testified as follows:

I was taking a social cup at the carpenters headquarters in Naminohira-machi and came out about 12 o'clock, going towards Ouramachi. As I was passing Minamiyamate machi I saw Inouye Shichizo ahead quarreling with a foreigner about some matter. The foreigner struck Shichizo and ran away. Shichizo followed him along the path

matter. The foreigner struck Shichizo and ran away. Shichizo followed him along the path and I went to see what the matter was. Two Two foreigners caught Shichizo on the path to Shapane's and drew blood from his face. One of the foreigners struck Shichizo in the face with a stick and I returned to t tell the others at the carpenters' quarters. After that I know nothing of what happened.

V. Another witness, Inouye Ichizo (workman, age 39)testified as follows:

On January Ist about I P.M. hearing that Inouye Shichizo had been struck I went to the placewith Sakamoto Sanzoand Miyazaki Ichitaro to assist him. Shichizo was in a small room in a foreigner's house whom we did not know, in Minamiyamate machi. Being forbidden by the foreigner we could not come near. Sakamoto San zo was struck by the foreigner at the time with a cane.

VI. Another witness Junnai Totaro (workman, age 3I), testified as follows:

On January Ist, between I2 and I o'clock, Omori Ichijiro came in haste and reported that Inouye Shichizo was being beaten at the house of a foreigner in Minamiyamate machi. Thinking that there would be a big row if I told the men in the shop I took Ichijiro and went to the place. At the gate of the foreigner's house a Japanese whom I do not know was standing, and said we could not enter. So we returned with three or four other Japanese whom we did not know. I did not see any Japanese with bamboo sticks or clubs.

VII. The cook of the English Consulate Yamamoto Kinzaburo, (age 43) testified as follows:

On that day I heard the sound of voices outside and went out. I saw three persons— one Japanese and two foreigners— leading a Japanese. One of the foreigners was the English Consul and the other one I did not know; the Japanese was boy to the Consulate. The one who was being led was the one who appears in the court. I did not see any other persons at that time.

VIII. A servant in the employ of the English Consulate Toyama Kinzo, (age 40) testified as follows:

Yesterday at about I2 o'clock the Secretary of Legation and the oldest son of the English Consul went to the American Consulate. On their return they met three Japanese, one of them pulled the Secretary's clothing from behind; the Secretary turned arounid and struck the fellow's head with an umbrella. As there was no other way out of it, he struck the man in the face and ran to the house of the British Consul. The three followed after him and he entered the enclosure of Shapane's below the English Consul's house. Hearing the sound of loud voices I went out of the house to see what the matter was and saw the Consul striking one of the three in the enclosure of Shapane's.

The Consul ordered me to bring rope to tie the Japanese up, but I told him he would better not do so, but report the matter to the police, which I immediately did.

While the Consul was thus beating one of them the other two ran away and afterwards about six Japanese came with bamboo sticks or clubs and said to me that I ought not to assist foreigners in beating a Japanese in that way, although he had been wounded to begin with; I advised them to report to the police and take the proper course of action. Thereupon they returned.

The conclusion to be drawn from the above facts is as follows

follows:

There was no one who really saw the striking in the first instance and the course leading up to it, besides Mr.Sands and Inouye Shichizo. There were facts unfavorable to Shichizo in the statement of Toyama Kinso, but the fact is that he had heard the report from other persons and had not really seen the affairs himself, therefore his statement is not to be believed. Kinzaburo had testified that Mr.Sands and a son of the English Consul were walking together at the time of the first assault, but that fact was not mentioned either in the report of Mr.Sands or the testimony of Inouye Shichizo. Therefore there is no means of investigation, except the testimony of Inouye Shichizo, the report of Mr.Sands, and the reports of persons who had actually witnessed the facts connected with the first assault and its cause.

According to the report of Mr.Sands three Japanese surrounded him in the first instance etc.; but according to the statements of Hashiguchi Sanzo and Yoshioka Shoichi, who saw the affair, Shichizo had approached alone to Mr.Sands and pulled his clothes and caught an arm, but Inouye Shichizo was intoxicated at that time, and by mistake he took Mr.Sands for a foreigner with whom he was acquainted and according to the Japanese custom he wanted to pay New Year's greetings but the meaning could not be underatood from failure to understand each other's language. Mr.Sands took the matter as impolite action and pushed Shichizo. Shichizo took the matter as an impolite thing and acted violently, and the quarrel had taken place between the two. As Mr.Sands had been struck in the head, he had knocked down Shichizo. As Shichizo being struck with umbrella, he had followed after Mr.Sands. Whether in fact Shichizo had struck Mr.Sands first or Mr.Sands had struck Shichizo is not clear.

Therefore it is concluded that the Public Procurator acted properly in dismissing the case.

Note. -

The above memorandum was handed to me by a clerk of the Foreign Office on April 13th, 1898, with the following statement (in substance):

"The accompanying report on the Nagasaki assault "case (Mr. Sands') was prepared for the Foreign Office "by the Judicial Department on the basis of the evidence "thus far produced and seems to bear out the "decision of the Procurator in dismissing the case. "If further evidence is forthcoming, however, the "case will of course be reconsidered."

R.A.Miller

Interpreter of Legation.

(Copy)

Translation. No.24.

Department of Foreign Affairs, Tokyo,
The 21st day, the 7th month, the 31st
Year of Meiji.

His Excellency
Alfred E. Buck,
Envoy Extraordinary and Minister Plenipotentiary
of the United States of America.

Monsieur le Ministre:

Referring to Your Excellency's note bearing date of the 9th April last, relative to the assault alleged to have been committed upon Mr.Sands, Secretary of the United States Legation at Seoul, Korea, by certain Japanese at Nagasaki, I have the honor to say that the matter in question having at once been referred by my predecessor to the Minister of State for Justice, the same Minister now informs me that the defendant in this case named Inoue Shichizo was found guilty and punished on the 27th ultimo, at the District Court of Nagasaki, as per copy of the judgment enclosed herewith.

I avail myself etc.

(Signed) Count Okuma Shigenobu,
Minister for Foreign Affairs.

Translation Copy. (Copy) Judgment.

Inoue Shichizo, Defendant, aged 38 years; Status Heimin; Occupation carpenter; Domicile unknown; Residence No.49 Juzenji Katanohira, Nagasaki-shi, Nagasaki-ken.

In the case of the above named defendant, prosecuted for assault, the following facts have been proved before this Court:

That about the noon, the Ist day of the Ist month of the 3Ist year of Meiji (January Ist I898), while passing through a street called Minami Yamate-machi, in City of Nagasaki, and when approaching to a point 50 or 60 ken distant from the residence of J.H.Longford, ~~the~~ British Consul at Nagasaki, the defendant, in a state of intoxication, met Mr.William Franklin Sands, Secretary of the United States Legation at Seoul, Korea, then lodging at the Belle Vue Hotel in the same street, who was coming down from the United States Consulate in company with the son of Consul Longford;

That mistaking Mr.Sands for a foreigner with whom he was acquainted, the defendant approached him to shake hands, uttering in Japanese, "Konnichiwa" (Good-day), but Mr.Sands, being ignorant of the Japanese language and finding the defendant a stranger under the influence of liquor, was surprised at the unexpected salutation and placing his hands against the breast of the defendant, pushed him away. The defendant thereupon became angry and suddenly drawing an umbrella which he held in his hand, struck Mr.Sands' head over his hat causing, however, no injury whatever;

That Mr.Sands, immediately after receiving this blow, struck the defendant in the face with his fist, causing injury, and then ran off toward the residence of the British Consul already referred to;

That

That the defendant, covered with blood, and despite his pain, ran after Mr.Sands, but was not able to overtake him and in front of the premises of the British Consul, the defendant was caught by Mr.Longford and handed over to the police.

The above stated facts are fully corroborated by the written reports of Policemen Ichiyama Takesaburo and Kamageshi Sayu made in this case and the certificate prepared by Physician Kamiyoshi Hagemu, as well as by the statements made by Mr. William Franklin Sands and British Consul J.H.Longford.

Considering that in this case Paragraph 9 of Article 425 of the Penal Code applies to the act of the defendant,

This Court sentences the said Inoue Shichizo, defendant, to be punished by imprisonment for the period of five (5) days.

The defendant having been convicted by judgment on default (in contumaciam), is allowed to oppose the decision within three (3) days from the date of notification to him of the judgment.

Done in the presence of Sugimoto Tokisaburo, Public Procurator, at the District Court of Nagasaki, this 27th day of the 6th month of the 31st year of Meiji.

Judge Kuwabara Kichitaro (Seal)

Yamanaka Heitaro, Clerk of the Court (Seal)

Copied from the original this 2nd day of the 7th month of the 31st year of Meiji.

Iwamoto Zenjiro (Seal)

Clerk of the Public Procurtor's Office of the Local Court of Nagasaki.

Enclosure No.2 with Mr.Buck's No. 177 of date July 26th 1898.

Copies of some correspondence in the case of Shichizo Inouye, convicted of assaulting Mr.William Franklin Sands.

Copy.

Consulate of the United States,

Nagasaki, February I4, I898.

John F.Gowey Esquire,

etc. etc. etc.

Yokohama.-

Sir:

I have the honor to report that on the Ist day of January, I898, an assault was made on Wm. F. Sands, a citizen of the United States and Secretary to the United States Legation at Korea, who was walking from the Consulate to his hotel. To protect himself from assault from behind, he walked into the premises of the British Consul and called for aid. Joseph H. Longford, Esquire, the British Consul, came to his aid with his servants, and dispersed the assailants.

The next day, the 2nd, Mr. Sands reported the assault to my predecessor, and made a sworn statement which was sent with the request that the offenders should be arrested and punished according to law, to the Governor of Nagasaki Ken, on the 3rd of January in despatch No. I467 from this Consulate. The receipt of such despatch was acknowledged by the Governor in his despatch No. 3, of January 7th, to my predecessor. A copy of the sworn statement made by Mr. Sands I hereby enclose.

On the 9th instant I addressed a despatch No. 39 to R. Tanaka, Esquire, Acting Governor of this Ken, requesting information as to what action had been taken against the assailants of Mr. Sands. To that communication I have received no answer.

Without any solicitation on my part, on the 8th instant I received a note from Mr. Longford, British Consul, enclosing copy of a letter which he addressed to the Japanese authori-

ties on the 4th January.

I also enclose copy of the letter addressed by Mr. Longford to the Japanese authorities, so that you may have full knowledge of the assault.

Should I receive any further information in this case I will immediately forward same to you on its receipt.

I have the honor to be, Sir

Your obedient servant,

(Signed)

CHARLES B. HARRIS,

United States Consul.

Enclosures:

As above noted .

For Mr Sands's sworn statement, see Enclosure No 1, page No 4.

Copy.

Her Majesty's Consulate,

Nagasaki, January 4, 1898.

Sir:

About noon on the first instant a number of Japanese - about five or six in all- in a more or less drunken condition made a violent entry into the private grounds around my residence at Ipponmatsu.

It appears that Mr. Sands, an United States citizen, lately Secretary to the United States Legation at Tokyo, who had only arrived in Nagasaki from Washington on the previous morning on his way to join the United States Legation at Seoul was, while walking along the upper road at Sagarimatsu Hill, on his return from the United States Consulate, subjected to a continued series of acts of rudeness on the part of some Japanese, which finally culminated in a gross assault. On Mr. Sands' resenting this he was threatened in such a way that he took refuge in the grounds of Ipponmatsu, but he was followed by these same Japanese along the whole length of the private path leading up the hill and in such a threatening manner that he could not retreat backwards .

Information was brought to me in my residence of what was occurring and on my going out I found Mr. Sands defending himself as best he could, being entirely unarmed, against four or five Japanese, some at least of whom had bamboo poles and all of whom were in furious excitement and shouting loudly. On my appearing and actively interfering to the best of my strength, some of these ran away, but in a very few minutes reappeared with a considerable reinforcement, all however subsequently disappearing on hearing me order my servants to summon the police. One man, I believe the first who originally

assaulted Mr. Sands, who was the instigator and chief participant in the rudeness that preceded the assault, and who was certainly the foremost in leading the assault on him in my grounds, remained in my hands after a violent struggle on his part and was subsequently handed over to the police, and I am informed that three other arrests have since been made of others who were active participants in the affair. With this occurrence, so far as it relates to Mr. Sands, I have no concern, but as regards the violent trespass on my private grounds of a number of drunken Japanese, in a state of extreme passion and excitement, probably incapable of distinguishing between one foreigner and another, some more or less armed, and all in the worst spirit of vindictiveness, I have to request that you will be so good as to take the necessary steps to bring those in custody to trial on the charge which I have now the honor to lay before you.

The affair might easily have had the most disastrous consequences. Ladies and young children were in the house and garden only a few yards further on, and had the accused persons succeeded in reaching where they were there might have been no limits to their violence. Acts of rudeness such as commenced this affair on the part of the lower class of Japanese in that district have been frequent of late, even ladies and children having been subjected tothem. There is no police protection whatever on either of the upper roads, and if on the very rare occasions on which any of the perpetrators is arrested exemplary punishment is not dealt to him continued repetition of them must be expected. And if, as in this instance, rudeness and assault on the public road are followed by violent entrance into private premises, the consequences may at any time be most serious to the Japanese themselves.

I have the honor to be,

Sir,

Your most obedient humble servant,

(Signed) J.H.LONGFORD.

H.B.M's Consul.

To/

Y. Okada, Esquire,

Chief Kenji,

Nagasaki Local Court.

INDEX BUREAU
REC'D.
26 AUG 1898
DEPT. OF STATE.

DIPLOMATIC,
AUG 26 1898
BUREAU.

No. 175.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of Advance Sheets of Consular Reports for June 21, 1898.

No. 175.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir:

I have the honor to acknowledge the receipt of your Instruction No. 131, of date June 23rd, enclosing three copies of Advance Sheets of Consular Reports for June 21, 1898, relating to the protocol between Russia and Japan in regard to Korea.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

AUG 26 1898
BUREAU.

INDEX BUREAU
REC'D.
26 AUG 1898
DEPT. OF STATE

No. 176.

Copy of dispatch & enclosure to Dept of Labor Aug 29/98 No letter. J.F.C.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Transmitting copy of Resumé Statistique of Japan for 1898

No. 176.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir:

Under Department instruction No. 304, of date April 8th, 1896, I have the honor to transmit herewith copy of the Resumé Statistique of the Empire of Japan, recently published, for the Library of the Department of Labor.

I have the honor to be,

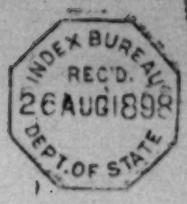
Sir,

Your obedient servant,

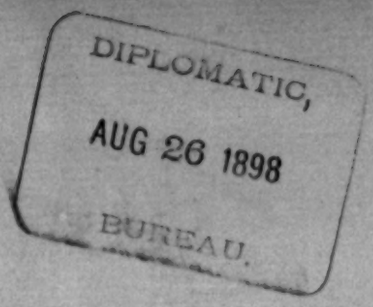
Enclosure:

Copy of Resumé Statistique for 1898.

No. ✱.



File



LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

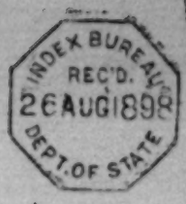
Mr. Buck

to the Secretary of State.

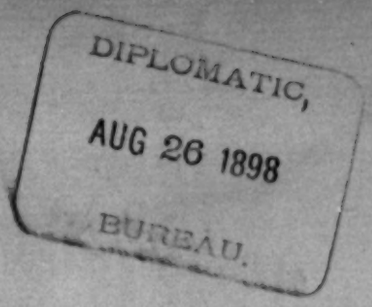
Subject:

Acknowledging receipt of unnumbered instruction of date June 21st 1898 relating to laws and regulations on neutrality.

No. *.



File



LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Acknowledging receipt of unnumbered instruction of date June 21st 1898 relating to laws and regulations on neutrality.

No. XX.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

Referring to your unnumbered instruction of date the 21st ultimo, calling for copies of any laws or regulations on neutrality that may have been issued by the Japanese Government since 1870, including cases having arisen under the same, and also reports of any action taken in regard to the sale or delivery of contraband of war or ships to a belligerent, I have the honor to state that upon examination I find that no such laws or regulations have been made nor have questions arisen as to the sale or delivery of contraband or ships since the above mentioned date.

I have the honor to be,

Sir,

Your obedient servant,

W. W. Rockhill

DIPLOMATIC,
AUG 26 1898
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No. 177.

Acted on
To the President
Aug 27/98

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Irritation of Japan at increased duty on tea has subsided.

No. 177.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my No. 158, of date June 16th, last, relating to the concern of the Japanese Government and people at the duty of ten ~~per~~ cents levied by the United States on tea I have the honor to inform you that the irritation displayed at that time has now quite subsided on recognizing that the duty was imposed as a temporary war measure and not meant in any way to be a discrimination against Japan.

I have the honor to be,

Sir,

Your obedient servant,

E. C. Buck

No. 177.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my No. 158, of date June 16th, last, relating to the concern of the Japanese Government and people at the duty of ten ~~per~~ cents levied by the United States on tea I have the honor to inform you that the irritation displayed at that time has now quite subsided on recognizing that the duty was imposed as a temporary war measure and not meant in any way to be a discrimination against Japan.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
AUG 26 1898
BUREAU.

No. 4.

INDEX BUREAU
REC'D.
26 AUG 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Transmitting information touching sanitary organizations of Japan, as called for by Unnumbered instruction of date March 7th, 1898.

No. ✻

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 26, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

Referring to the Department's unnumbered instruction of date March 7th last, directing me to report, in view of a request from the Secretary of the Treasury and for the use of the Surgeon General of the Marine Hospital Service, such information as might be obtainable touching the national health organizations of Japan, central and local, and their relations, and also concerning the control of contageous diseases, I have the honor to enclose herewith a copy of the "Sanitary Institu-"tions of the Imperial Government of Japan", recently published by the Central Sanitary Bureau of the Home Department.

This matter has been delayed in the hope that the information might be obtained in a more compact and satisfactory form, but after all efforts it appears that no better information is now forthcoming.

Two more copies of the pamphlet in question will be sent if they can be procured. It is already out of print.

I have the honor to be,
Sir,
Your obedient servant,

Enclosure:- Pamphlet as above.

J. E. Buck

DIPLOMATIC, **TELEGRAM RECEIVED.** mi Cypher.

JUL 28 1898

BUREAU.

From Tokyo, July 27, 1898

July 28, 1898.

Received 9:20 A.M.

Pub'd July 29.

Day

Washington.

July 27. The U.S. Consul at Nagasaki has informed me that the "Arcona" of the gemine German navy, with some months supplies, cleared for Carolini (Caroline) Islands from that port yesterday.

Buck

DIPLOMATIC,
AUG 26 1898
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REC'D.
26 AUG 1898
DEPT. OF STATE

No. 178.

2D ASSISTANT SECRETARY,
Ack with gratification
AUG 26 1898

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 28, 1898.

Ack
Aug. 29/98

Mr. Buck

to the Secretary of State.

Subject:

Indications of the friendship of Japan for the United States.

No. 178.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 28, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to refer to some incidents occuring of late which may be of some interest as indicative of friendship of the Government and people of Japan for the United States, in honors done to several of our citizens.

On the IIth instant His Majesty the Emperor conferred the decoration of the Fourth Order of the Sacred Treasure upon the Rev. Dr. M.C.Harris, a citizen of the United States, who many years ago was a missionary at Hakodate and for the past twelve years has been engaged in missionary work among the Japanese in California. So far as I can learn, Dr. Harris is the only foreigner who has not been in some way in the service of the Japanese Government, or held some official position under his own Government, who has ever been decorated by the Emperor. Dr. Harris recently came on a visit to this country and has been most warmly received and entertained by the people of Tokyo and in other places where he had been known.

On Saturday last a grand entertainment was given Professor T.S.Perry, the grand-nephew of Commodore Perry, who has lately come to Japan as instructor in one of the more important educational institutions. This

This was done by high officials of the Government, who remain in the city during the hot season, the Governor of Tokyo, the President of the Chamber of Commerce, and business men of high standing. While the function was for Professor Perry, nominally, it was given really in honor of the name of Commodore Perry, to whose memory the Japanese people, from the Government down, pay tribute as that of a great benefactor of their country, who opened it to civilization. Count Okuma, now Minister President of State and Minister for Foreign Affairs, once remarked to me that the Japanese owed a great debt to the United States for what Commodore Perry did for this country; that though at the time of his coming he was unwelcome, his name was now revered in Japan.

At this entertainment there was a magnificent display of American with Japanese flags, and the demonstration, so spontaneous as it was, by such people as participated, was a marked expression of a warm feeling for the United States, as well as for the memory of Commodore Perry.

I enclose clippings from the Japan Gazette giving a summary account of this entertainment; also a translation of a short editorial in reference to this affair taken from the Kokumin Shimbun, one of the strong Japanese newspapers of Tokyo.

In addition, as giving some evidence of public opinion in general as expressed by the Japanese in respect to the United States, I also enclose translations of several editorials taken from the Jiji Shimpo, published in Tokyo, perhaps the most influential Japanese newspaper in the country, and supposed to be a good representative of public thought; also copies of the Far East, the only magazine in Japan owned and edited by Japanese and published in the English language. The

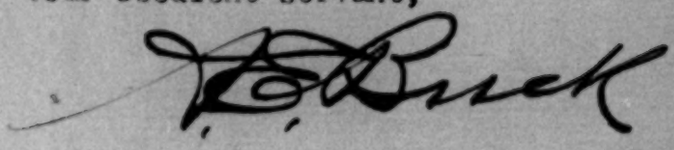
leading

leading article, I think, fairly expresses enlightened public sentiment in respect to the attitude of Japan towards the United States as regards the acquisition by us of the Philippine Islands, and in other respects as well.

I have the honor to be,

Sir,

Your obedient servant,



Enclosures:

No.I Clipping in duplicate from the Japan Gazette.

No.2 Translation of editorial from Kokumin Shimbun.

No.3 Translations of editorials from Jiji Shimpo.

No.4 Two copies of the Far East.

Enclosure No 1 with Mr Buck's No 178, of date July 28th, 1898.

The Japan Gazette.

YOKOHAMA. 25TH JULY, 1898.

WELCOME MEETING TO A RELATIVE OF COMMODORE PERRY.

On Saturday afternoon, under most favourable atmospheric conditions, a garden party was held with great success at the Imperial Hotel, Tokyo, in honour of Professor T. S. Perry, of the Keio Gijiku College. The meeting was promoted by several well-known residents of the Capital to celebrate the arrival in Japan of the Professor, who is a grandson of the widely-known Commodore Perry, whose advent in this country over forty years ago, was practically the means of opening it to foreign intercourse. Appreciation of the benefits derived by the Japanese through the Commodore's efforts, found a practical means of demonstration on Saturday, several hundreds of prominent Japanese assembling at the Imperial Hotel to extend a welcome to a relative of the gallant Commodore. Arches were erected at the entrances of the Hotel, and the building was most tastefully decorated with bunting and lanterns. By admirable arrangements, practically the whole of the proceedings took place in the open—a turfed garden covered from the sun. Among those present were Marquis Hachisuka, Mr. Shibusawa, Chairman of the Tokyo Chamber of Commerce, Messrs. S. Fukuzawa, T. Obata, U. Taguchi, R. Kondo, R. Toyokawa, N. Soma, J. Komura, Viscount T. Tanaka, Admiral Ito Sukenori, Baron Kawaguchi, Colonel Fukushima, Prof. Furuichi, Messrs. S. Tsuji, K. Masuda, I. Tamura, S. Asano and S. Imamura.

The proceedings commenced at half-past two o'clock by the reading of an address of welcome by Marquis Hachisuka, Chairman of the Reception Committee (the address is reproduced below together with the speech made by Mr. Perry), and it was translated into English by Mr. Takahashi, of the *Japan Times*. Prof. Perry responded, his address being interpreted by Mr. Tsuchiya of the *Jiji Shimpo*. Marquis Hachisuka then delivered a short address, thanking His Excellency Colonel Buck, U.S. Minister, who was also present, for his attendance. The latter made a reply in appropriate terms and expressed his wishes for increased friendship between Japan and the United States. At the finish of the formal part of the proceedings the assembly was treated to a series of entertainments, including sword-dancing, a display of fancy fireworks, and dancing by pretty girls. The last-named were very lively and graceful, each *danseuse* dancing and holding, one an American and the other a Japanese national flag attached to a short stick. Some pictures and other mementos in connection with the visit of Commodor Perry to Japan were shown to the visitors. Among these was a reproduction of the dishes laid before Commodore Perry, which were prepared in accordance with the menu arranged by the Shogunate Government. The Band of the Imperial Guard was in attendance and played selections during the afternoon, adding much to the enjoyment of the meeting. At 5 o'clock the visitors were entertained with an excellent cold collation, after which the gathering separated.

Following were the chief addresses given :—

Prof. Perry,—We who are assembled here to-day to participate in the pleasure of welcoming you to this land of ours, are all filled with a singularly irrepressible feeling of joy,—a feeling which we have never before experienced on welcoming many another, from lands afar, from time to time. The experience is entirely new to us, but we know the reason is not far to seek.

Forty-five years have elapsed since the way was paved for us to enter into the comity of nations; and as time widened and deepened the channel of our foreign intercourse, numbers have increased of those paying us a visit. There have among them been Princes of Royal Blood, distinguished personages of rank and renown, and gentlemen otherwise famous in various fields of human activity. We have always spared no pains to receive them with greatest courtesy and make their stay with us, a pleasant and enjoyable one. Nor do we make any secret of telling you that as the guests of the Imperial Court and of State, there were some who had been received with perhaps more pomp and function than those now extended to you. Yet in truth, we remember none whom we approached with that unique feeling which centres about you at this moment. It is, we assure you, because none of them bore a name which has such historical significance with Japanese as yours.

Prof. Perry, the name "Perry" is a most valued one in the history of Japan, of Japanese Civilization. We associate it with our civilization of to-day and it implies with us the national progress which we are now in possession of. It was indeed in the sixth year of Kayei (1853) that your relative of respected memory, Commodore Perry, entered the Bay of Yedo bringing his President's message and by force of enlightened argument succeeded in persuading the Government of this country to unlock the doors of seclusion which had stood closed for over two centuries. Then followed the Perry Negotiation of Kurihama and the Perry Treaty of Yokohama which ultimately became a factor in ushering in a grand new epoch for Japan. Thus the name "Perry" together with that of America is an imperishable one in Japan and to the Japanese mind. Our sentiment toward the United States is naturally one of deep sincerity and we were enabled to give it expression when ex-President Grant was here; but you who bear the name so closely woven into the history of our new era have given us the opportunity to realize for the first time, how truly we cherish it, inasmuch as you have aroused in us that singularly irrepressible feeling of joy in welcoming you.

Prof. Perry, look over the condition of our country and ask whence are all its civilization and progress from? Any man of ordinary intelligence would answer: "We owe all this to Commodore Perry who came over from America and awoke us from our long slumber." He would further interpret the word "Perry" as a precious key that flew open the secret seal which had so long kept this country in an impenetrable hermitage. Aye sir, all the new knowledge we have since acquired may indeed be regarded as a monument to bear witness to Commodore Perry's magical turn of the key; and may we not indeed say that his errand was a heaven ordained one in the cause of Civilization? True, a nation must be amply possessed of strong potent force, the accumulation and storing of ages and generation to burst forth suddenly into all the glory of progress and enlightenment; but there is a danger in applying the torch to this dormant potentiality, for if only provoked into activity, it would precipitate a country into irretrievable disasters. For Japan, however, it was most fortunate that the right man came for this delicate and pregnant task, in the person of Commodore Perry. He executed his part so well that we now look up to him as the introducer of modern civilization into Japan. Hence we say the name Perry is one which should never be disassociated with the word civilization in Japan.

Prof. Perry, we extend to you our most hearty welcome. We hope it is a source of much pleasure to you to view and appreciate the blossom of the tree which your illustrious relative had planted in these soils so many decades ago. We also hope that you will accept with satisfaction the expression of our feeling toward you and that your stay among us shall be a long one, with no cause for regret. (Applause.)

Professor Perry responded as follows :—

Mr. Chairman and Gentlemen,—It is impossible for me to tell you how deeply, how sincerely I am touched by the warm reception you have given, not so much to me as the name which, however unworthily, I bear. For my own part I am, more than happy to stand here as a sort of mile post that shall mark the point where one pauses to look back upon the journey one has made, to see the progress that in time covers less than half a century, but a half century that has compressed into it what has occupied the rest of the civilized world for more than three hundred years. You say that Commodore Perry awoke Japan from a long slumber. All the time that Japan hid itself from the rest of the world, it was not sleeping, its swords were not rusting; on

the contrary, they were sharpening, polishing themselves against the best steel in the world, against other Japanese swords.

Sudden as was the progress of Japan, yet after all we go upstairs a step at a time; even the marvellous advance of this country implies a preparation here for which Commodore Perry would never have claimed the credit. It was not he that made Japan; it was Japan that made itself. What is extraordinary, what is without precedent in history, is a country that profits by an experience not its own—even to profit by one's own experience is a sufficiently rare merit—and Japan made use of the experience of the rest of the world with a thoroughness and an earnestness that are simply amazing. It is comparatively easy for nations, as it certainly is for individuals, to see what they want to do: moralists, however, have occasionally detected a gap between this and what has been done, between the intention and the accomplishment, but they did not know Japan. Moralists always draw their examples from ancient history. It is not too easy for the people of one civilisation to recognize the qualities of another, but Japan comprehended the western civilisation at a glance and prepared to adopt it. Japan is always unique. Its seclusion for so long a time was something without example; its course since that was abandoned is without precedent.

It is not for me to speak of what Commodore Perry was fortunate enough to be able to do in the crisis of Japanese history, but I may be allowed to call attention to one thing, namely, that his was in fact as in design a peaceful mission, and it seems to me that no officer, by land or sea, can have a nobler duty than serving the interests of peace. Indeed, the most successful general or admiral is the one who most swiftly ends a war, and to conduct negociations that subserve the interests of peace and civilisation is the most honourable task with which an official can be entrusted. Such was his privilege. It was vouchsafed to him to advance civilisation by commending it to your nation. What you have done with it, your country shows to-day. I cannot describe it, there is no need of my describing it; you know what Japan is, the whole world knows what it is.

Once more let me thank you very sincerely for your extremely courteous welcome and for your kind wishes to me personally. I should certainly be ungrateful if I should unlearn my love of Japan. (Applause.)

closure No. 2. th Mr. Buck's No. 178 of dat. July 28th 1898.

ranslation fr the Kokumin Shimbun of July 24, 1898.

The lon slumber of Japan was awakened by the late
ommodore Perry, of America, and a garden-party is to be given
some gentlemen to-day in Tokyo in welcome of his grand-
ephew.

We do not know what title Professor Perry may or may not
ave to be given such a reception, but it should rather be
derstood as a welcome to Americans by Japanese in friendly
tercourse.

Correct Translation
R S Miller
U. S. Interpreter
of Legation

Enclosure No. 2, with Mr. Buck's No. 178 dated July 28th 1898.

Translation from the Kokumin Shimbun of July 24, 1898.

The long slumber of Japan was awakened by the late Commodore Perry, of America, and a garden-party is to be given by some gentlemen to-day in Tokyo in welcome of his grand-nephew.

We do not know what title Professor Perry may or may not have to be given such a reception, but it should rather be understood as a welcome to Americans by Japanese in friendly intercourse.

Correct Translation
R. S. Miller
U. S. Interpreter
of Legation

Enclosure No. 3, with Mr. Buck's No. 178, of date July 28th 1898.

Translation of editorial from Jiji Shimpo of July 10, 1898.

According to the latest information the Spanish fleet at Santiago, Cuba, has been almost totally destroyed by the American fleet. It was said that the Spanish fleet was a splendid one and its movements have been watched with great interest, but it must have been essentially weak to have been destroyed in one battle. In fact we may say that the war has been practically ended. It is true that the large number of soldiers yet remaining in the island may not surrender easily but as the command of the sea is already in the hands of the enemy they are like rats in a sack and cannot accomplish anything. Peace negotiations will be opened in the near future. We cannot know in advance the terms of the negotiations, but the purpose of the war was to free Cuba and as a natural result of the victory of the United States Cuba will become either an independent power under the protection of the United States, or will be annexed to the latter as a State.

It has been an unfortunate affair for Spain, but the unhappy islanders have suffered for years from the unreasonable treatment of the mother country and that they are now to be freed from the yoke must be a matter of congratulation for the civilization of the world.

The soil of the island is fertile and the inhabitants have the power of sustaining independence, but they have been allowed no freedom by the home Government. On the one side there has been the desire to escape from oppression and on the other side a desire to oppress so that the result has been a constant agitation. There has been no means of opening up the rich gifts of Providence and the people have gradually been ruined. It is as if a child had been severely treated by a cruel step-mother and deprived of sufficient food and clothes; although its nature is capable of development its body and spirit are ruined and weak. The chivalrous indignation of the American people could not be calmed until the pitiful child had been rescued from the hands of the step-mother, and that it has been so rescued so rescued must be a matter of sincere congratulation. We do not hesitate to give our unqualified approval to the action of the American people.

So much for the Cuban question, but what of that of the Philippine Islands? Should the United States Government permanently annex the island we should offer no opposition as it is but reasonable that the victorious country should reap the fruits of its victory. The Americans are naturally a peace-loving race and comparatively unambitious. If the whole

group were given over to them to be developed by their capital and intelligence the barren field would become fertile soil, the commerce and industries of the islands would flourish and the neighboring countries would be benefited by their prosperity.

But has the United States any idea of possessing the Islands? When the Spanish fleet was destroyed at Manila it was rumored that the American Government would sell the Islands if Spain did not pay the indemnity: In fact the management of the new dominions, several thousand miles away and coveted by ambitious powers would be a difficult matter and consequently the United States , which has sufficient territory of its own, may have no idea of occupying the Islands. If they have not we would rather the Philippines should be made independent. For if some ambitious country should occupy the Islands with a fleet, build fortifications, store coal or establish powder mills and exercise its influence there we might presently have an enemy who would injure the peace; especially as Formosa is a new dominion, its people still unpacified and if often excited its defence would be very difficult. The ambition of any other nation must be decidedly opposed.

The question of the Philippines will not be settled with the American - Spanish war. On the contrary with the completion of that war it will raise its head with greater difficulties. The authorities concerned should be well prepared in advance.

Correct Translation
R.S. Hatter
Interpreter
Translation.

Enclosure No 3, with Mr. Buck's No. 178, of date July 28, 1898.

THE JAPANESE PRESS.

GERMANY AND THE PHILIPPINE ISLANDS.

Under the above caption the *Jiji* writes editorially to the following effect: —

The *Jiji* has recently received a message stating that the German Government has despatched several men-of-war to Manila with a view to securing a naval base there and that it has revealed its intention to assist the Spanish Government by impeding the movements of the American fleet. The journal, which hopes the United States will occupy the Philippine islands all to herself as the fruit of victory, expresses the wish that this news may prove devoid of foundation. But on watching recent German action in the Far East, our contempory is not in a position to deny the truth of the information. As an instance, towards the close of last year, Germany acquired an enormous indemnity and a lease of Kiao-chow from China in compensation for the murder of missionaries by Chinese subjects. The motive of the nominal lease—nominal because in reality it was a territorial acquition—was on the one hand to threaten the peace in the Far East by cutting the first turf in the partition of the Chinese Empire, and on the other to enable her to gradually encroach upon British trade in Asia until England should be ousted from the Oriental markets. The formation of the Triple Alliance by Germany to compel Japan to restore to China the peninsula of Liao-tung was intended not only to divert the attention of hostile Russia and France to the Far East in order to extricate herself from foreign aggression, but also to accomplish the grander scheme of monopolizing the profits of Far Eastern commerce. The one obstacle which seriously stands in Germany's way in the realization of her ambition is the predominance of England in Oriental commerce. As a means to remove this obstacle, Germany formed a plan to use Russia as cat's paw. She determined to assist Russia in increasing her influence in the Orient to counteract and suppress British predominance. As commerce and manufacturing industry are still in a state of infancy in Russia, Germany naturally concluded that mercantile interests would fall to her lot on the humiliation of Great Britain by Russia. An opportunity presented itself at this juncture in the shape of the Liao-tung question. With admirable adroitness, Germany acted as wire-puller in compelling Japan to recede the Liao-tung peninsula, by this means flattering both Russia and France. The premeditated plans of Germany had progressed smoothly prior to the outbreak of the Hispano-American war. Then her happy dream came to an end. As to the permanent occupation of the Philippine islands by the United States, contradictry rumours are afloat, but it is probable that under the present unfavourable circumstances, President McKinley might yield and adopt a measure contrary to his original wishes. Should this turn out to be true, it will prove a serious blow to the ambition of Germany in expanding her trade in the Far East. Germany will meet with powerful competition in the high commercial ability and rare inventive faculty of the Americans, who may establish themselves in the Philippine islands to develope their mercantile interests in the Far East. This is indeed a serious blow to the commercial scheme of Germany yet in its premature stage. The *Jiji* is inclined to doubt the truth of the news mentioned in the first portion of this article, but admitting the foregoing survey to be correct, it would in that event be persuaded that Germany may adopt some steps to interfere with the American possession of the islands. If such proved to be the German policy, our contemporary is of opinion that Japan should espouse the cause of the United States. Seeing that the relations of the United States and England are growing in intimacy, the journal surmises that the latter may assume the same attitude as Japan. Finally the *Jiji* predicts that a time may come when the alliance of the three Powers, England, Japan, and the United States, will be effected as a counterpoise to the coalition of Germany, Russia, and France.

"Japan Times", July 21, 1898

Correct Translation
R. S. Miller
U. S. Interpreter
of Legation.

Enclosure No. 3, with Mr. Buck's No. 178 dated July 28th, 1898.

Translation of editorial from Jiji Shimpo of June 26, 1898.

The war between the United States and Spain is a contest of humanity against despotism and of civilization against barbarism. Is there any civilized country that does not desire the victory of America? Spain, though a ruined, is still an independent country. The question of ultimate victory or defeat is clear ~~xx xxxx~~ , but in the beginning it was expected that there would be an interesting battle at sea. But there has been no great fighting at all and the rumor of peace negotiations has been gaining strength in Spain. By the one defeat at Manila the people must have seen that victory could not be expected.

The war arose in the first instance out of affairs in Cuba. The political system of Spain, though in the form of a constitutional monarcy is in fact an absolute system; the officials are despotic beyond limit and moreover the priests are far too powerful and their tyranny is greater than even that of the Government. The Spanish people are therefore under the double oppression of Government and priests . The existence of such a government in this civilized age is very strange and the people cannot endure it a day longer, but are anxious to overthrow the present government and establish a new civilized and liberal administration; but the despotism of the government is still strong and the new order of things cannot easily be brought to pass. Several millions of old and young are crying out day and night.

The rebellions in the islands of Cuba and Manila are the effect of the above causes, as the commands of the Government cannot be executed even at home nor can the people escape from its oppression. If the Spanish Government had the purpose to honor humanity the proper course would be to revise their system so as to give more freedom to the people. The Government, however, is not so wise, and with the determination to carry out its policy by any means whatever , sent troops to slaughter the people and does not seem to know where to stop in her despotic career. She cannot, however, escape the condemnation of the civilized world.

America, especially, as nearest neighbor to Cuba, could not endure to see this grievous condition of affairs continue without interfering, not only from the point of view of humanity, but also because the continuance of the rebellion was injurious to the interests of the United States. Advice and protest were offered the Spanish Government but obstinately rejected, and war was declared.

Thus the action of America is on the side of justice and

humanity, and no objection can be made. On the ~~xxxxxxx~~ contrary she has our fullest approbation. In our opinion if a strong attack be made upon Spain the present Government would be overthrown and a free and civilized Government formed. Thus several million beings would be freed from the power of despotism, which we earnestly desire may be the case.

To change the subject there is also an interesting question connected with the Philippine Islands. Since the naval battle at Manila the capital of the archipelago is the same as in the hands of the Americans and beyond hope of recovery by Spain. It is said that the Spanish fleet is to be, or has already been sent to Manila , but according to the latest intelligence it entered a Spanish harbor shortly after its departure. We doubt whether the fleet has the courage to come to the South Pacific; and moreover if they did come they could accomplish nothing but repeated defeat.

What will become of the Philippines after the war? It is said that theywill become independent; but it is impossible for them to become independent, because uncivilized people have no power of independence, and it is certain that there is some Power that desires to obtain possession of the Islands and is looking for a chance. If they cannot be made independent we hope that they will at any rate be occupied by the United States as the natural result of the outcome of the war. We Japanese have no desire to ~~xxxxxxxx~~ acquire territory and we do not therefore especially care to whom they belong. There is but one reason why we desire their occupation by America. The Philippines are situated in the near neighborhood of our new dominion, Formosa. If any other power, with warlike purposes in the East, should occupy the place it would be a very serious matter and must meet with our decided opposition. This course would be rendered unavoidable for the protection of our country. But with America it is different. Her purpose is merely commercial expansion, without political ambitions in the least. Moreover our intercourse with her has extended over a long period of years and our commercial relations are very close. From every point of view the interests of the two countries in this matter are identical; and if America will occupy the Islands our mutual relations will become more intimate and the result will be great mutual convenience and stimulation of commerce.

The above is the earnest desire of our Japanese people. Moreover the war is to defeat barbarism and to free the world of despotism ,- in a word it is for the peace of the world. The reason for it is clear, fair and honorable, and can meet with nothing but approval. As a result of the war the islands can be occupied and freedom given to the inhabitants under an enlightened administration. Moreover it is the purpose to open the territory to the commerce of the world. On the other

hand if the islands are left to themselves without supervision they willrreturn to their former condition, or else as above stated will be occupied by some other Power for the purposes of ambition and the peace of the Orient disturbed and commerce consequently interfered with. Such a result would be opposed to the principles and spirit of the American people, and would make their labor of no avail. We therefore heartily consent to the occupation of the Philippine Islands by the United States in the interests of peace, civilization and the development of commerce.

Correct Translation
R S Miller
U. S. Interpreter
of Legation.

Enclosure No 4 with Mr Buck's No 178 of July 28th 1898.

SEE THE EDITORIAL ARTICLE,

The Hispano-American War and the Far East.

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AN EXPONENT OF

JAPANESE THOUGHTS AND AFFAIRS.

VOL. III., No. 30.

JULY 20TH, 1898.

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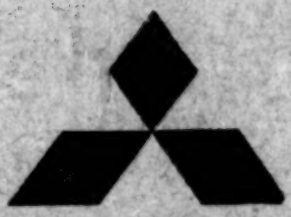
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THE FAR EAST.

VOL. III.—JULY 20th, 1898.—No. 30.

THE HISPANO-AMERICAN WAR AND THE FAR EAST.

It is with the express object of rescuing the neighbouring island of Cuba from misrule and anarchy that the United States has gone to war with Spain, and we do not venture to question the sincerity of the Americans as to the motive they have declared. But, once entered upon, war can not be localized; it is progressive not only in operation, but also in consequences. The fighting power of Spain has proved even more feeble than was generally supposed, and the war seems to be already drawing near a close. Of course Cuba will be freed from Spanish rule, and at all events virtually put under American protection, if not incorporated into the Union. This will be a direct result of the war—what the Americans have avowedly aimed at accomplishing from the outset. One need not be surprised, however, if more important and far-reaching consequences shall follow in other directions.

Merely as regards the operation of the war, the first and perhaps the most important of the engagements has taken place rather unexpectedly in a quarter farthest from both of the contending countries as well as from the object which constituted the cause of the contest. Neutrality proclamations deprived the American squadron in Far Eastern waters of safe and reliable anchorage. Admiral Dewey was thus obliged to get hold of a port if for no other purpose than to secure a shelter for his fleet. The American occupation of Cavite was a measure, we believe, primarily dictated by the necessities of naval strategy and required for defensive as much as for offensive purposes. The

United States Government may not have contemplated the acquisition of the Philippines up to the moment of opening hostilities with Spain. Yet, the Stars and Stripes once flying in the Bay of Manila, a new issue is likely to arise in international politics. According to the usage of modern warfare, it is true, military or naval occupation as a phase of the operation of war does not necessarily mean the permanent acquisition of territory. In the present case, however, there are factors tending to give rise to serious complications, owing to the peculiar position of the Philippine Islands. Usually there are only two alternatives in the final disposition of a territory which has been occupied in the time of war,—either to return it to the legitimate possessor or to retain it by obtaining a definite cession. But, if the Americans were to evacuate the Philippines, there is no security that the islands would be smoothly turned over to Spain. In the first place, there are the rebels who would take every opportunity to throw off the Spanish yoke. Those recalcitrant natives have been the cause of constant trouble to the Spaniards and made the Spanish rule in the Philippines anything but an easy task. Now that the prestige of Spain has piteously declined because of her ignominious defeat at American hands, the rebels are already on the war path and seem to be raging over a considerable portion of the archipelago. Even left to themselves, the Philippine Islands would have been a second Cuba at no distant date. Hence, in retiring from the occupied territory, the United States would be delivering it, not to Spanish rule, but to anarchy and commotion. Next, there are other Powers looking toward inheritance of the Spanish possession. One of them, at any rate, has already bestirred itself in order not to let slip any opportunity that may be furnished by the present war. In evacuating the Philippines, therefore, the United States may be preparing the way for a European Power or Powers to acquire another foothold in the Far East. In the face of these considerations, the Americans may well hesitate to relinquish the territory which has fallen into their hands by the chance of war. Besides, seeing that the United States' commerce with Far Eastern countries is fast growing in importance, it is reasonable that she should claim to have a voice in the disposition of Far Eastern affairs; and in order to make her voice heard, it is obviously desirable that she should be in possession of a naval base of her own. The precariousness of a fleet with no base to rely upon in times of emergency has been proved by

the experience of Admiral Dewey, whose fleet would have been utterly helpless, had the Spaniards been strong enough to stand the first attack. It is very natural, then, that the Americans should desire to take advantage of the fortune of the present war and to take permanent possession of the territory now occupied by their fleet and army.

In establishing herself in the Philippines, the United States will certainly incur a very heavy responsibility; but it is not in the nature of the American people of juvenile light-heartedness and sanguine temperament, to shrink from any undertaking whatever. The acquisition of a territory far removed from American shores is no doubt a deviation from the traditional policy of the Union. But America seems to be destined sooner or later to step forward as an active factor in international politics. Of course it would be exceedingly advantageous and profitable to cultivate commercial relations with other nations without at the same time entering into political entanglements; only it is too advantageous and profitable to be practicable in this age of commercial rivalry backed by armies and navies as well as by political intrigues. Again, owing to the great revolution wrought by steam and electricity in the means of communication and transportation, it is no longer possible to adhere to the policy of confining the sphere of political activity to the American continent. America can not be now regarded as separated from the rest of the world. If she desires to secure markets for her commodities, she can not avoid having political relations with foreign nations, and her sphere of political activity must of necessity be co-extensive with that of her commerce. The Monroe Doctrine was, in one sense, a deviation from the policy of no political relations, for it aims at exercising the political influence of the United States in preventing the encroachment of European Powers upon the Western Hemisphere. Indeed, the United States has long been a potent political factor in America. The energetic and enterprising spirit of the growing nation can not be confined for ever within the limits of its own continent, and now a further deviation from the original policy is about to take place. The new departure is in the same direction as the Monroe Doctrine, and only goes far beyond it. The self-imposed restrictions of the Monroe Doctrine are to be broken off; but the claim for political influence is not to be abandoned. The present war is very significant, because it was begun on the strength of the

Monroe Doctrine and is most likely to end in the confirmation of a new national policy. The annexation of Hawaii has already been effected as a side issue of the war. That the Americans will retain at least a part of the Philippines is a probability of the highest degree. Henceforward the United States will be an important factor in international politics, not only with regard to the American continent, but with regard to the world in general and the Far East in particular. Who knows but that the twentieth century may find the United States one of the dominant naval powers of the Pacific?

On the whole, the advent of the United States as a Far Eastern Power is to be welcomed from a Japanese point of view, because our relation with her has been and is one of particular cordiality and her interests in this part of the globe seem to be in general harmony with ours. If Platonic friendship is possible to nations, it must certainly exist between America and Japan. We have regarded, and still regard, the American nation in the light of leader and benefactor, and we believe it is not too much to say that the American people have reasons to be proud of the progress achieved by our countrymen. From a sentimental point of view, therefore, we may look with satisfaction upon the United States beeoming a nearer neighbour to us. As to the question of policy, our object is to secure the peace of the Far East on the basis of the development of general commerce, and to check the policy of military aggression and commercial exclusiveness. On this point, an essentially peaceful and commercial people like the American may be expected with reason to have common interests with us. If the Americans contribute to the attainment of the above objects, their participation in Far Eastern affairs is to be much desired, and we look to the conclusion of a reciprocal tariff between the United States and Japan as the first step for promoting the growth of closer commercial relations. Great Britain also seems to favour the appearance of America as a World Power, especially as a Far Eastern Power. To quote from the London *Times*, "we (the British) could not view with indifference the acquisition of the Philippines by either France, Russia, or Germany, though we have enough on our own hands not to care to add to our responsibilities in that quarter..... we contemplate their possession, however, by the United States with equanimity and, indeed, with satisfaction." This is the key note of British opinion, and the reason is because "it

is clearly perceived that the United States have, in common with this country (Great Britain), a substantial interest in keeping open the markets of China." This community of interest exists not only between Great Britain and America, but also between Japan and the two Anglo-Saxon nations. The Hispano-American war will prove a blessing to a great mass of humanity, if, in its consequence, the co-operation of the three countries shall be secured in the Far East.

July 15th, 1898.

SPECIAL CONTRIBUTIONS.

THE PRESENT STATE OF JAPANESE INDUSTRY.

Taking the advantage of the privilege accorded by the editor of THE FAR EAST, I have the pleasure of presenting in the following pages an account of the present state of industries in Japan. The position in which I am placed at present affords me much freedom and opportunity to investigate the real state of these in this country. I do not pretend to theorize on the subject, but would rather give pure and nacked facts; for speculation is here altogether out of place, and readers would not find much interest in it. I do not think we need take a pessimistie view of the subject, for Japan's present industries compared with those of the ancient times show a great progress. In support of this statement, let me appeal to the numerical strength of her indsutrial work.

The number of manufacturing companies in 1892 was 452 with a capital of 55,150,514 yen, but it increased in 1898 to 1074 with a capital of 172,344,256 yen. Thus, in point of number, companies have increased double and capital increased triple. The same law of increase is also observable in the mechanical power of factories. During 1892, the power employed in the factories of the whole country did not exceed 3,1155 horse power, but in 1895, it increased almost ten times having 37,9926 horse power. Again let us observe the increase in the amount of coal consumed in our factories. During 1891, 728,956 tons of coal were consumed, and during 1895, 1,552,005 tons, almost a double amount, were used. We also recognize the same fact in the percentage of industrial produce in the total amount of export (1887—1898).

Year.	The total amount of export.	Industrial produce.	Miscellaneous.
1888	100	66	34
1889	100	64	34
1890	100	67	33
1891	100	55	45
1892	100	67	33
1893	100	71	29
1894	100	75	25
1895	100	77	23
1896	100	74	24
1897	100	78	22

Thus considered from all points of view, we may unhesitatingly admit that Japan has made a remarkable advance since thirty years when a factory of any kind was almost unknown, but our optimistic view of the case must end here, for when we come to compare our industries with those of other advanced nations we must admit, however reluctant we may be, that we are as yet sadly behind. Even in the case of cotton manufacturing, the most advanced of our industries, we are still confronted with the inferiority of our work. Cotton and cotton thread that England exported to foreign countries during 1897 amounted to 63,993,716 pounds (639,937,160 yen), while the amount of Japan's export was only 16,002,571 yen, just $\frac{1}{40}$ part of Great Britain. We notice again the general decrease in the amount of profit realized by these factories. Leaving out minor differences, let us at once prove this fact in connection with spinning, the chief mechanical industry of our country. From the report of the association of spinning factories, we gather the following table of the dividend of profits.

Year.	per cent.
The first half year, 1893	11.1
The second half year, 1893	13.0
The first half year, 1894	12.4
The second half	7.1
The first half year, 1895	9.4
The second half year, 1895	11.9
The first half year, 1806	4.4
The second half year, 1896	9.2
The first half year, 1897	9.4
The second half year, 1897	4.8

Now, the question is, why there is such a decrease in the profits of this industry and how it can be remedied? It appears to me that there are two things which must be done before we can answer these questions.

1. The cause of the decrease must be ascertained.
2. Means of the increase must be found.

With reference to the first, the following four points may with advantage be discussed. These four reasons are by no means conclusive as they may vary according to the nature of companies and to the circumstance in which they are placed, but I must emphatically repeat that these four reasons are generally, if not absolutely, to be considered conclusive.

1. Rise of the rate of interest.
2. Rise of wages.
3. Rise of the price of coal and other materials.
4. Adoption of the gold standard at the time of the depreciation of silver.

These four facts have affected all the companies in this country, and it is interesting to find out the causes which led to this state of affairs.

1. Rise of the rate of interest.

It is but natural that the interest shall be raised when the capital or money usable as capital possessed by the people is being used by the government for an object which is other than economical. Take the instance of the late war with China, the money in the hands of the people, was appropriated by the Government and disbursed for unproductive purposes. It is true that some portion of the money was returned to the hands of capitalists, but a greater portion of it still remains beyond their reach. Thus, while, on one hand, there is this scarcity of capital, on the other, there is a great demand for capital resulting from the industrial mania of our people. Dissolution of some banking corporations and non-payment of checques and fall of credit among bussiness men augumented this state of affairs which led to the raising of the rate of interest. The following table shows the variations in the rates of interest.

THE RATE OF INTEREST OF THE BANK OF JAPAN.

(The figures below represent the percentage of interest.)

		Jan.	Feb.	March	April	May	June	July	August	Sept.	Oct.	Nov.	Dec.	Average
1892	Maximum.	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.023	6.357
	Minimum.	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.388	6.023	6.023	6.327
1893	Maximum.	6.023	6.023	6.023	5.475	4.745	5.475	4.745	4.745	5.475	5.475	6.205	6.205	5.549
	Minimum.	6.023	6 023	5.475	5.475	4.745	4.745	4.745	4.745	4.745	5.475	5.475	6.205	5.551
1894	Maximum.	6.570	6.935	6.935	6.935	8.030	6.935	7.300	8.030	8.030	8.030	8 030	8 030	7.483
	Minimum.	6.205	6.570	6.935	6.935	7.300	6.935	6.935	7.300	7.300	8.030	8.030	8.030	7.212
1895	Maximum.	8.030	8.030	8.030	80 30	8.030	8.030	8.030	8.030	7.300	7.300	7.300	7.300	8.120
	Minimum.	8.030	8.030	8.030	8.030	7.300	8 030	8.030	7.300	7,300	7.300	7.300	7.300	7.665
1896	Maximum.	7.300	7.300	7.300	7 300	7.300	7.300	7.300	7.300	7.665	7.665	7.665	7.665	7.422
	Minimum.	7.300	7.300	7.300	7.300	7.300	7.300	7.300	7.300	7.300	7.665	7.665	7.665	7.391
1897	Maximum.	7.665	7.665	7.665	7.665	8.760	7.665	8.395	8.760	8.760	9.125	9.125	9.125	8.365
	Minimum.	7.665	7.665	7.665	7.665	8 395	7.665	8.395	8.395	8.760	8.760	9.125	9.125	8.273
1898	Maximum.	9.125	9.490	9.855	9.855	9.855								
	Minimum.	9.125	9.125	9.490	9.855	9.855								

THE AVERAGE RATE OF INTEREST OF BANKS IN TOKYO.

(The figures below represent the percentage of interest,)

	January	Feb.	March	April	May	June	July	August	Sept.	October	Nov.	Dec.	Average
1892	8.7235	8.6870	8.4680	8.4315	6 3875	8.2490	8 3585	6.3875	8.3585	8.2855	8.3220	9.0155	8.1395
1893	8.2125	7.9205	7.3730	7.3365	10.0375	6.7890	6.2050	10.0375	6.9350	7.2270	7 4095	9.2710	7.8962
1894	8.3950	8.5775	8.6870	8.7235	9.4170	7.7600	9.1980	9.4170	10.0375	9.8550	9.9280	10.8040	9.3166
1895	9 9645	10.4025	9.9280	10 0010	9.1980	10.0010	9.5995	9.1980	9.2345	9.0155	9.0520	9.9280	9.6269
1896	9.1980	9.1980	9.0520	8.9790	6.9425	12.5195	8.9425	8.9425	9.4900	9.8185	9.8185	10.6580	9.6299
1897	10.0375	9.9465	9.6725	10.0010	10.0010	10.2200	10 0740	10.0740	10.1105	10.2200	10.6935	11.8260	10.2412
1898	10.9135	10.9865	11.3150	11.4975	11.7530								

2. Rise of wages.

This is again unavoidable. The Government measures for military expansion and the growth of industry both private and public increased the demand of laborers and caused the rise in the price of commodities, increased the wages of labourers. See the following table showing wages of labourers in the Kanegafuchi spinning factory.

Coarse Spinning.

Year.	Male. sen.	Female. sen.	
1892	24.8		per day
1893	21.0	15.9	do.
1894	23.4	16.7	do.
1895	22.2	18.2	do.
1896	25.1	18.6	do.
1897	28.6	19.8	do.

Fine Spinning.

Year.	sen.	sen.	
1892	—	14.9	per day
1893	20.5	11.7	do.
1894	22.6	12.2	do.
1895	22.0	12.7	do.
1896	23.6	14.4	do.
1897	24.7	16.5	do.

3. Rise of the price of coal and other materials.

The following table shows how the price of coal has gone up.

Price of coal in Tōkyō and Yokohama.

Year.	yen.	
1892	31.00	per 10,000 pounds.
1893	31.60	do.
1894	38.50	do.
1895	42.65	do.
1896	39.10	do.
1897	51.60	do.
1898	53.50	do.

Fourthly and lastly I state that the adoption of the gold standard tended to decrease the profits of companies. When Japan was a silver country her goods were sold comparatively cheaper in foreign markets than those made in gold standard countries, and there was a time when exports were actually greater than imports; but in adopting the gold standard, the difference in the proportional value of gold and silver being cancelled, the advantage which manufacturers in a silver standard country enjoyed, was lost.

In conclusion, let me state that while we have made some progress in our industries, the present outlook is rather gloomy, and utmost pains must be taken to find means of relief. This I propose to consider in a future number of THE FAR EAST.

NAGABUMI ARIGA.

[Mr. Ariga is the Director of the Board of Industry in the Department of Agriculture and Commerce].

PHYSICAL DEVELOPMENT OF JAPANESE CHILDREN.

One of the best ways of ascertaining the strength of a nation is to investigate the physical strength of the people who are its component elements. Where the people are of robust constitution and healthy growth, the nation can not but be strong. The object that I have in view in writing this article is manifold; however, my chief idea is to show the readers the real state of the physical development of our school children, thus furnishing materials for educational, ethical and ethnological studies. In order to accomplish this object in view, I have made five different trips throughout Japan visiting especially the cities of Nagasaki, Fukuoka, Kumamoto, Nakatsu, Kagoshima, Sendai, Morioka, Aomori, Akita, Tokushima, Takamatsu, Matsuyama, Kōchi, Hiroshima, Yamaguchi and the provinces of Tango, Tajima and Tamba.

The following table shows the average stature of school children according to their age. As to the measurement of size a centimetre was taken as a unit and of weight a kilogramme.

Table showing the Stature of School Children.

	Male.			Female.			Number of Children examined.	
Age.	Average,	Maximum,	Minimum.	Average,	Maximum,	Minimum.	Male,	Female.
6	101.4	113.5	86.0	101.6	112.0	86.3	150	137
7	108.0	121.0	92.0	104.6	127.5	96.5	383	262
8	111.6	122.5	100.0	112.0	124.7	100.0	609	467
9	117.6	132.3	103.7	115.5	128.5	92.0	566	451
10	121.9	133.7	113.0	120.7	130.5	114.0	538	370
11	126.0	140.7	102.0	125.1	141.0	106.5	449	273
12	129.4	141.0	115.5	130.6	141 0	106.5	394	188
13	134.3	155.0	123 5	136.1	147.0	124.0	337	165
14	139.8	160.0	126.5	139.9	154.0	117.3	251	114
15	142.7	155.5	128.0	142.1	151.7	133.0	124	59

* * *

The above table shows the progress in the stature of male children from 101.4 to 142.7 during nine years, while that of the female is during the same length of time from 101.6 to 142.1. We also find that the male makes the greatest development at the age of six followed by some checks in the following year, but at the age of eight the growth of the stature becomes rather rapid. Then there intervenes a period of slow development to the age of eleven when the development becomes again rapid. But the female differs from the male in that she starts a year later in growth, i.e. at the age of seven develops most. Then her development becomes slower until the age of nine. At the age of ten she begins to develop much faster than the male, and between the age of twelve and thirteen she is actually taller than the male by 1.8 or 1.2, and even during the following two years (14 and 15) her development never lags behind that of the male. The following table shows the development of children in their weight.

Table showing the weight of children in kilogrammes.

	Male.			Female.			The Number of Children examined.	
Age.	Average,	Maximum,	Minimum.	Average,	Maximum,	Minimum.	Male,	Female.
6	15.9	21.0	12.9	15.4	18.9	12.1	156	137
7	17.7	22.8	13.1	16.7	21.5	12.6	383	262
8	19.2	27.3	16.1	18.4	28.8	13.4	609	467
9	20.9	27.5	15.2	20.3	25.4	14.8	566	451
10	23.2	30.7	12.5	22.2	27.3	18.4	538	370
11	24.9	30.9	18.7	24.4	37.1	16.8	449	273
12	26.6	33.9	19.7	26.7	38.4	20.2	394	188
13	28.9	46.8	22.3	31 0	42.7	21.8	337	165
14	33.1	56.5	23.3	33.8	51.5	22.9	251	114
15	35.2	46.8	26.3	36.3	52.9	28.6	124	59

The weight of the male, we find, at the age of six is 15.9 and 35.2 at the age of 15; thus during these nine years the weight increases by 19.3, the average increase for each year being 2.14., while the weight of the female at the age of six is 15.4 and 36.3 at the age of fifteen, showing that they are heavier than the male by 1.1, and the increase of the weight of the female during these nine years is 20.9,

being 6.1 more than that of the male, and then also the average growth of the female each year is 2.32, being greater than that of the male by 0.19. The reason for the more rapid development of the girl than the boy is found in the fact that the softer sex develops much more quickly during the period of puberty of which I am desirous to give a fuller account later on ; but before proceeding with it, let me call the readers' attention to the facts shown in the following table which gives the comparison of the increase of the weight of the male and the female for each year.

Age.	Male.	Female.
6	1.8	1.3
7	1.5	1.7
8	1.7	1.9
9	2.3	1.9
10	1.7	2.2
11	1.8	2.3
12	2.3	4.3
13	4.2	2.8
14	2.1	2.5
15	—	—

The boy's weight shows the increase of 2.3 at the age of nine and twelve, and of 4.1 at the age of thirteen, but I believe firmly that the steady increase of weight takes place after the age of fifteen. With the girl, however, it is quite otherwise. Her development is most rapid at the age of twelve ; but it seems to decline at the age of fifteen or sixteen. Here let me digress from the main topic for a moment and present to the readers of The Far East some facts connected with the period of puberty which may furnish important materials for legal, medical and educational studies, and the question whether the Japanese are a precocious race or not may, to some extent, be decided by the solution of this problem. By the above table it is shown that a girl from the age of twelve to fourteen makes a more rapid development both in stature and weight than a boy, which fact leads me to the conclusion that the period of puberty with a Japanese girl ranges from twelve to fifteen. It is full of interest to note how the case stands with Europeans. According to Mr. Axel Key's report, it appears that there is not much difference between

Japanese and European in the earlier development of a girl, say, at the age of ten to twelve, the only difference being that while with a Japanese girl this development declines at the age of fifteen, with an European girl it continues some years longer. Dr. Baelz in his work entitled "Die Koerperlichen Eigenschaften Japaner" gives the following table showing the increase of weight of a Japanese young man from the age of fourteen to twenty-five.

Age.	Japanese	Europeans
14	38.7	37.1
15	42.6	41.2
16	48.0	45.4
17	52.1	49.7
18	53.0	53.9
19	53.1	57.6
20	52.8	59.5
25	54.0	66.2

From the above table it is also plain that the Japanese are a precocious race, for the increase of the weight of the Japanese from seventeen to twenty-five is $\frac{4}{000}$, but that of the Europeans is $\frac{33}{100}$. From these and other similar facts, I have arrived at the conclusion that Japanese are more precocious than Europeans. Let us advance a step further and examine the size of the head of the Japanese. The following table shows at a glance the comparison of the size of the head according to the age.

	Male.			Female.			The ratio of increase.		The Number of children examnied.	
Age.	Average,	Maximum,	Minimum.	Average,	Maximum,	Minimum,	Male	Female	Male	Female.
6	50.2	53.0	47.0	49.7	52.5	47.7	0.4	0.2	156	137
7	50.6	53.5	47.0	49.9	53.0	47.7	0.3	0.2	383	262
8	50.9	54.0	48.0	50.1	53.5	42.0	0.2	0.3	609	467
9	51.1	54.0	48.0	50.4	53.0	46.0	0.5	1.0	566	451
10	51.6	54.7	40.0	51.4	54.0	49.0	0.5	1.0	538	370
11	51.9	54.0	49.0	51.5	54.5	40.0	0.3	0.1	449	273
12	52.0	54.0	49.0	52.1	55.0	49.0	0.1	0.6	394	188
13	52.5	56.0	49.5	52.8	58.5	48.0	0.5	0.7	337	165
14	53.0	59.0	49.0	53.2	56.5	48.0	0.2	0.4	251	114
15	53.2	56.5	50.5	53.6	57.0	49.5	—	—	124	59

Thus we find that the size of a boy's head at the age of six is 50.2 and 53.2 at the age of fifteen, showing the increase of 3.0 during these nine years, while that of a girl at the age of six is 49.7, being smaller than that of the boy by 0.5, but, strange to relate, at the age of fifteen it measures 53.4, that is, bigger than the boy's by 0.4. There is another noticeable fact in connection with this subject i.e. that the head of a girl at the age of fifteen is much larger than that of a boy of the same age.

The following table gives the size of the breast of children.

	Male.			Female.			The Ratio of Increase.		Number of Children examined.	
Age	Average,	Maximum,	Minimum,	Average,	Maximum,	Minimum,	Male.	Female	Male	Female.
6	52.4	57.5	47.0	51.2	56.0	44.5	2.3	1.8	156	137
7	54.7	64.0	48.0	53.0	59.0	50.0	1.1	1.5	383	262
8	55.8	62.0	51.0	54.5	60.0	48.5	2.3	1.7	609	467
9	58.1	64.0	52.0	56.2	63.0	50.5	1.8	1.8	566	451
10	59.9	66.5	53.5	58.2	61.0	53.0	1.6	2.1	538	370
11	61.5	68.0	58.0	60.1	71.0	52.5	1.3	1.3	449	273
12	62.8	71.0	56.0	61.4	72.5	55.0	2.7	3.7	394	188
13	65.5	76.0	53.0	65.1	81.0	55.0	2.4	3.0	337	165
14	67.9	80.0	57.5	68.1	81.0	53.5	1.2	2.5	251	114
15	69.1	77.5	63.0	70.6	81.0	61.0	—	—	124	59

The boy's breast at the age of six measures 52.4, and at the age of fifteen 69.1, thus showing the increase of 16.7 during the nine years, but that of the girl measures 51.2 which is actually smaller than that of the boy by 1.2, but at the age of fifteen her breast measures 70.6, that is larger than that of the boy by 1.5.

The following table shows the development of the arm.

	Male.			Female.			The Ratio of increase.		Number of Children.	
Age.	Average.	Maximum.	Minimum.	Average.	Maximum.	Minimum.	Male.	Female.	Male.	Female
6	98.0	111.0	86.0	98.2	112.5	84.3	7.0	5.1	156	137
7	105.9	114.0	92.0	103.3	113.5	95.0	3.8	4.1	383	262
8	108.8	119.0	99.0	107.4	121.0	94.0	5.6	4.7	609	467
9	114.4	127.3	99.0	112.1	126.0	99.0	4.8	6.0	566	451
10	119.2	131.5	110.0	118.1	126.5	112.0	4.3	4.9	538	370
11	123.5	142.7	102.0	123.0	137.3	104.0	4.1	4.5	449	273
12	126.6	143.7	112.0	127.5	137.0	117.0	3.1	6.6	394	188
13	133.6	159.0	121.0	134.1	148.0	122.0	4.2	3.2	339	165
14	137.8	158.0	123.0	137.3	150.5	110.0	4.0	3.4	251	114
15	141.8	159.0	122.5	140.7	154.0	126.0	—	—	124	59

Before winding up this article, let me give a few more facts which must be of some interest to the readers. Of all the nations of the world, the Japanese are the shortest people. Various opinions are given to explain this fact. Some ascribe it to the custom of absquatulation while others find no other cause than the fact that it is peculiar to the race. I agree to some extent with the former class in opposition to the latter of whom Dr. Baelz is one of the representatives.

The following table shows the development of the legs of children.

	Male.	Female.	The Ratio of increase.		Number of Children examined.	
Age.	Average,	Average,	Male	Female	Male	Female.
6	48.0	48.5	3.6	2.2	156	137
7	51.6	50.0	2.2	3.4	383	262
8	53.8	54.1	2.2	3.1	609	467
9	56.0	54.0	4.3	2.2	566	451
10	60.2	59.4	2.3	2.9	538	370
11	62.5	62.3	1.6	3 3	449	273
12	64.1	65.6	3.5	2.7	394	188
13	67.6	68.3	2.2	1.2	337	165
14	69.8	69.5	1.1	0.9	251	114
15	70.9	70.4	—	—	124	59

In conclusion let me give the comparison between Japanese and European children in their physical development. This is by no means an easy task as there is a sad lack of uniformity of opinion among different scholars, but the following table seems to approach the truth.

Comparison of the Stature of Japanese and European Male Children.

	Age.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.
	Examiner										
Japan	Mishima	101.4	108.0	111.6	117.6	121.9	126.0	129.4	134.3	139.8	142.7
	Baelz	107.8	113.2	114.8	124.1	128.0	135.3	140.3	146.2	152.5	156.1
	Miwa	——	106.4	111.8	115.7	120.4	123.2	127.4	132.8	139.2	145.4
Europe	Ketly	98.7	104.6	110.4	116.2	121.8	127.3	132.5	137.5	142.3	146.9
	Axel Key	110.0	116.0	121.0	126.0	131.0	133.0	136.0	140.0	144.0	149.0
	Monti	103.0	109.0	115.0	121.0	127.0	133.0	138.0	143.0	148.0	152.0
	Klinisches Recept-Taschenbuch	104.4	110.4	116.2	121.8	127.3	132.5	137.5	142.3	146.9	151.3

Comparison of the weight of Japanese and European Male Children.

	Age.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.
	Examiner										
Japan	Mishima	15.9	17.7	19.2	20.9	23.2	24.9	26.6	28.9	33.1	35.2
Japan	Baelz	16.8	18.1	20.5	23.6	25.7	27.9	30.0	32.6	33.1	38.1
Europe	Ketly	15.9	17.8	19.7	21.6	23.5	25.2	27.0	29.0	33.1	37.1
Europe	Monti	17.0	18.0	20.0	22.5	24.5	26.5	29.0	31.5	34.0	38.0
Europe	Klinisches Recept-Taschenbuch	17.8	19.7	21.6	23.5	25.2	27.0	29.0	33.1	37.1	41.2

Comparison of the Stature of Japanese and European female Children.

	Age.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.
	Examiner										
Japan	Mishima	101.6	104.6	112.0	115.5	120.7	125.1	130.6	136.1	139.9	142.1
Japan	Baelz	108.9	116.6	120.4	126.4	133.3	136.9	130.9	146.8	150.2	147.0
Japan	Miwa	——	105.4	109.7	113.6	118.2	123.0	127.0	132.4	137.7	142.2
Europe	Ketley	97.4	103.1	108.7	114.2	119.4	124.9	130.1	135.2	140.0	144.6
Europe	Axel Key	——	113.0	116.0	123.0	127.0	132.0	137.0	143.0	148.0	153.0
Europe	Monti	102.4	108.4	114.4	120.4	126.4	132.4	137.4	142.4	147.4	151.4
Europe	Klinisches Recept-Taschenbuch	103.1	108.7	114.2	119.6	124.9	130.1	135.2	140.6	144.6	148.8

Comparison of the Weight of Japanese and European female Children.

	Age.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.
	Examiner										
Japan	Mishima	15.4	16.7	18.4	20.3	22.2	24.4	26.7	31.0	33.8	36.3
Europe	Ketley	15.3	16.7	17.8	19.0	21.0	23.1	25.5	29.0	32.5	36.3
Europe	Monti	16.0	17.0	19.0	21.5	23.5	25.5	28.0	30.5	33.0	37.0

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FORECAST OF A NEW SYSTEM OF PEDAGOGICS IN JAPAN.

This subject, though hardly attractive to general readers, will be found of some interest to those who appreciate the importance of education and its effect upon new Japan.

From the earliest times, both the Emperors and governments of this country have paid much attention to education, but the education of the old type was something quite different from that of the new ; the former was scholarly, while the latter is general.

The political change at the beginning of the Meiji era is more properly to be called a Reformation than a Restoration, for in it not only the political but also all the fabric of society underwent a fundamental transformation. The principle which guided the Meiji government at its incipient stage was that our country should completely be freed from the shackles of the old narrow ways and be made to breath as much as possible the atmosphere of civilization of the world at large. This is evident from the last two clauses of the Imperial Decree issued the very first year of the new era. They read :

"The old uncivilized way shall be replaced by the eternal principles of the universe.

"The best knowledge shall be sought throughout the world, so as to promote the imperial welfare."

From this, we can imagine how strong the motive power of the education of new Japan was. How the new spirit quickly spread itself everywhere can best be seen from the plays of the time. For the first time, school scenes appeared on the stage.

Schools were established soon after the Reformation, but it was not till July 1872 that the corner stone of any satisfactory system of education was laid. The educational policy of the time was to substitute a democratic and business *ethos* for the feudal and samuraic. Embodying this principle, the Imperial Instruction issued then said in substance : "Those who are successful in life are always those who are moral and educated; but to have moral and educated men, we

must have schools, where all the branches of science and art are taught. Therefore, learning is the foundation for successful life. Men have failed in life because they were uneducated." This sufficiently shows how the educational policy of that age emphasized the intellectual and utilitarian side, though not neglecting the moral, which formed the back-bone of the old feudal education.

All the literature on the subject of the pedagogics of that time was introduced from America, which can justly claim the honor of being the mother of the civilization in this country in this respect as in other things. In our land, as in Europe of the middle age, formerly the method of education was chiefly dogmatic and authoritative and was largely concerned with the exegesis of old books, while the students remained passive and memorized every thing. The introduction of the new educational system of Pestalozzi marked a new period. This system founded human knowledge on *Anschauung* and used a genetiec method. The old strict discipline gave place to a new easy and comfortable method, making the school a place of charm.

But the religious culture at which this American education aimed did not find, putting all other things out of consideration, a congenial soil in the prevailing utilitarian spirit. The age seriously felt that something was wanting. This was, however, admirably supplied by that little book on education by Herbert Spencer, the eminent modern materialist. This book, which begins with a chapter entitled, "What knowledge is of most worth?" was translated about 1877, and enthusiastically welcomed everywhere.

But a reaction soon set in. The spirit of reverencing the national past, which had been lurking beneath all these overwhelming destructions and innovations, at last broke forth against the strong tide of Occidentalism. The combat between Occidentalism and Orientalism, if we can call it so, was someties quite hot. As will be remembered by all, it was at this juncture that the famous Imperial Decree on Education was issued and it was generally believed that by this decree the principle of our education were finally settled. The edict is no embodiment of an ignorant bigotry, as mistakenly believed by some venerable nationalists, but is that which sets forth concisely unchangeable truths for education. Two things characterize it: it

makes moral culture the chief thing; while the national history is made the fountain head of this particular education.

About the same time, Dr. Hausknecht of the Tōkyō Imperial University propagated the Herbartian pedagogics through his lectures both in the University and in the Pedagogical Seminary under his charge. The rage for Herbart was so great that it soon completely replaced the former English and American pedagogics. The remarkable success of the German system was due to the general belie that it was in accord with the traditional ideas of education of this country, which always emphasized moral instruction, as being thet aim of education, and that its making history the basis of education agreed, as was supposed, with the Imperial Decree in its principles. Many books were published on this new pedagogics, which were studied in all our normal schools and by educators.

It hardly needs to say that the system of Herbart is admitted in Europe to be the best ever propounded, so that it fast spread itself not only in Germany, but also in England and America. It combines all the good elements of the three principles in German educational history,—*pietism*, *philanthropism*, and *humanism*, which can be traced, as we believe, also in the educational history of our country. That is to say, our Shintoism corresponds to pietism; the Spencerian system represents philanthropism, while our Confucianism comes very near humanism.

It is seriously to be doubted, however, that the Herbartian principles in their original form can prosper long in this country. Already a Herbartian *streit* has been fiercely fought and now all seem to have come to the conclusion that it is far from being a perfect system of education. To the recent examination question on the defects of Herbartian pedagogics in our Higher Normal School, most of the students expressed the opinion that it too much underrates bodily exercise; that it fails to emphasize the state; that it unjustly neglects the utilitarian side, etc. And these students all are soon to go out of the school halls to form an educational power in this country.

This change in educational ideas has been necessitated by that of the general tendency of thought. In this closing part of the nineteenth century, two things stand prominently before our notice, that is to say, the tremendous development and constant warfare of commerce

and industry, and the increasing definiteness and strength of national consciousness. Above all, social questions have now become burning ones, and there seems to be every reason to believe that the queen of sciences in the coming century is to be social science. It is impossibe for educational science to remain unaffected by so important a change in thought and circumstances as this. The old pedagogics was largely individualistic and cosmopolitan, but now it is going to be social and nationalistic.

This social tendency of education is of course not confined to this country; nor has it suddenly sprung up in modern times. The history of education shows us that Plato and Aristotle were really the founders of nationalistic education, while Fichte and Schleiermacher are the modern promoters of this idea. At present, Otto Willmann is the most celebrated name of this school. Prof. Lagarde of Göttingen urges the consolidation of the German race; the anonymons author of the book called "Rembrandt als Erzieher" asserts the same thought, having Prussia for the center of unity; the book by Prof. Karl Fischer, entitled "Grundzuge einer Social Pädagogik und Socialpolitik," and that little book written by Brücker, "Erziehung und Unterricht vom Standpunkt der Socialpolitik," are also in the same line. In France, the most famous book on the subject is Fouillée's "L'Enseignement au Point de Vue National."

Under these circumstances, the principles of education for the future Japan will be, so it seems to me, as follows:

That individuals do not exist as apart from the state; that the dignity and power of the state depends upon that of the individuals.

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BUDDHISM IN JAPAN:

IST PAST, PRESENT, AND FUTURE.

(*Concluded.*)

The Zen or Contemplative sect was introduced by Eisai, who began his study on the Hiyeizan, and went to China to investigate further the doctrine at the age of twenty-eight (1168). For about two centuries after Emperor Daigo (897—930), the friendly intercourse between Japan and China having been discontinued, no priest dared go over to the continent, until Eisai now reopened religious intercourse between the two nations. His chief object was to make a pilgrimage to the mother land of Buddha, but he could not succeed in getting the permission of the Chinese Court. He staid but half a year in China and returned. In the year 1187 he went again to China to realize his long cherished hope of going to India, but in vain. He learned the principles of the Zen sect from Kyoan of the Tientai monastery, and during his five years' stay in China he read through the Tripitaka three times. He returned home in 1191, and established the Rinzai school of the Zen sect. He called his sect Buddha's Mind, and declared it was the source of Buddhism, while other sects were mere tributaries. Yoriiyé, the then Shōgun, believed in his teachings, and erected for him a great temple, Kenninji, at Kyōto. After this nothing could stop the progress of the newly established sect, favoured by the Regents of the Hōjō family, the real rulers of the State.

While the Rinzai school was thus sweeping everything in its way of propagation, its brother sect, the Sōtō, introduced by Dōgen, came to assist its missionary work. Dōgen began his priestly career on Hiyeizan, when he was fourteen years old. He learned the principles of the Tendai sect from Kōyen, the highest dignitary of the sect. Hearing of the unrivalled fame of Eisai he went to the Kennin temple to study the so called Buddha's Mind sect. Eisai perceived at once the genius of the young priest, and taught him with paternal affection. Soon afterward, however, Eisai attained eternal repose, leaving him to the care of his disciple, Myōzen; but the latter being no competent

tutor of so clever and inquisitive a youth as Dōgen, he turned his attention to China in search of further knowledge.

In the year 1223, he went to China with Myōzen, and was admitted into the monastery of the Tendōsan. As he was a foreigner, he was made light of, and afforded the lowest seat according to the custom of the monastery. Against this unreasonable contempt, he entered a strong protest. He said that in the Buddhistic circle all were equal and brothers. There should be no difference of nationality. The ranks of priests, therefore, should be determined by seniority. He made an appeal to the Chinese Emperor, who, being moved by his fervent remonstrance, ordered the abbot of the monastery to give him a proper rank. From this time his name was known throughout the Empire. Only two years he staid in the monastery, and left it to call on the eminent priests of the country. He could not find a good tutor in the priests of note that he met. In the mean while Nyojō, noted for his virtues, was appointed abbot of the monastery on the Tendōsan by Imperial order. Forthwith he went to the monastery, and was treated with cordial affection by Nyojō, who foresaw the future development of the young Japanese. After three years' practice of Contemplation under the instruction of Nyojō, he awoke to perfect Enlightenment, and was recognized as a patriarch.

It was in December of 1227 that he came back to Japan. He built a small cottage at Fukakusa, and for a while led the life of a recluse. Afterwards he founded the Kōshō temple at Uji, in which he lived for ten years. His virtues by degrees became known to the world, and Hatano Yoshishigé, one of his admirers, founded for him the Yeihei temple in the province of Echizen. Emperor Gotoba (1242—1246) was pleased to bestow on him a purple scarf as a mark of respect, but Dōgen at first refused to accept it. He was persuaded with no small difficulty to receive the Imperial gift, but not even once in his whole life wore the beautiful scarf. In the year 1247 he came to Kamakura by invitation of the Regent, Tokiyori, and was received as tutor and preceptor. Tokiyori wished to build a temple at Kamakura for him, yet such a noisy haunt of men as Kamakura was no proper abode for a holy priest. In the following year he returned to Echizen, and never left it until his death.

Buddha said, "You should not seek the society of kings and

ministers." Despite the instruction almost all the Japanese priests of distinction more or less tried to secure the favour of Emperors and Ministers, but with Dōgen the case was entirely different. He always lived in solitude, and preserved his holiness and honor, leading a secluded life. He was far from being polluted by worldly ambition and riches, and lived in honest poverty. It is said that Tokiyori, having intended to give him a large tract of land as the property of the temple Yeiheiji, drew up a bond and handed it to a young disciple of his named Genmyō. The thoughtless priest carried the bond to his tutor, who scolded and drove him away to his great surprise. Dōgen observed that the man was a fool whose heart was polluted with love of riches, just as bread was soiled with oil. He was not satisfied with the banishment of Genmyō, but ordered the floor on which the poor wretch was wont to sit to be broken up, and the earth under it to be dug out seven feet in depth, and cast out of the premises of the monastery, because it was defiled by Genmyō's love of riches.

Owing to the patronage of the Hōjō family, many Chinese priests of the the Zen sect came over to Japan. For instance in the year 1246 Dōryū came from China, and was received with hearty welcome by the Regent Tokiyori, who built him the Kenchō temple at Kamakura. In 1279 Sogen came over by the invitation of the Hōjō family, and became the founder of the Engaku temple. Besides these Chinese there were numerous Japanese Zen priests of reputation, such as Shōichi of the Tōfuku temple, Daimyō of the Nanzen temple, Musō of the Tenryu temple, Daitō of the Daitoku temple, and others.

The fact that the Zen sect was prosperous during the Kamakura period may be attributed to the influence of the military class then in power, amongst whom it had the majority of its believers. The principles of the sect were well qualified to be adopted by the soldiers, nay, the Zen priests in fact were the most military of the Buddhists. As a rule they were frank, unpolished in manner, rough in features, and needy in circumstances. The practice of Meditation deprived them of their tears and laughter as well. They could sit undisturbed amidst a noisy crowd of men, as though they were in a still room. They could stand in the midst of a shower of cannon balls without losing their composure. They could go up to the scaffold with steady steps never losing the presence of mind. Thus the Zen priests

were peculiarly adapted to be the tutors of the samurai, who bore the same relation to the other classes as the Zen priests bore to the other sects' brothers. In addition to this the Regents of the Hōjō family were, with a few exceptions, thrifty, and far from being charged with moral depravity. The Zen priests were also frugal and honest, and lived in 'pure' poverty. The founder of the Rinzai sect, Eisai, for example, is said to have given away the halo of an image made of copper to a needy man, as he was himself so needy that he had nothing elss to give. In many respects, therefore, the Zen priest and the samurai resembled each other. This was one of the most important causes of the propagation of the sect amongst the samurai.

Japan had ten sects of Buddhism at this time, none of which allowed its priest to take any kind of meat or to marry, in conformity with the prohibitions of Buddha. Meat and woman were regarded as foul objects, and if a priest came in contact with them his holiness and virtues were lost at once. For this reason women were strictly forbidden to ascend such a mountain as the Hiyeizan or the Kōyasan, on which stood a sacred monastery. The more virtuous the priest became, the more hermitical he grew. It was, however, very hard for a young priest to observe the moral precepts and to live under the severe discipline of his sect; accordingly there were many cases of violation of the precepts. But now a new sect sprang out of the Pure Land school, whose priests laid no stress upon the moral precepts. They openly kept wives and took any kind of meat. They were half-priest and half-laymen, and called their sect the Ubasoku (the Lay sect) or the Shinshū (the True sect).

The founder of the Shin sect was Shinran, who was made a novice in the Tendai monastery on Hiyeizan at the age of nine. In his twenty-ninth year (1201) he became a disciple of Genkū, the founder of the Jōdo sect, who was then in the zenith of his fame. There were many disciples of Genkū, but Shinran received special favour from the master. Before this time Genkū, having compiled a famous book, entitled Senchaku-hongan-nembutsu-shū, by the request of Fujiwara Kanézané, the latter wished to make one of his distinguished disciples his son-in-law in order to show the people the model of the layman's salvation by faith in Amitabha. Genkū then persuaded Shinran with some difficulty to marry a daughter of Kanézané. In 1207

Genkū, being exiled to the province of Sanuki, Shinran was also banished to Echigo, but after five years was allowed to return to Kyōto. Then he spent a score of years, travelling through the eastern and northern provinces to propagate his own doctrines. There he made innumerable converts, and laid the foundation of the sect, to which the two Honganji temples at Kyōto, the greatest temples in Japan, belong.

Another sect, Nichiren-shū, was established by a priest of the same name, who is still adored by the believers as an incarnation of Boddhisattova Visishtakaritra. He is well known as Nichiren Bosatsu, or Ososhisama (Honorable Patriarch) and honoured as a great hero even by his enemies. At twelve he was sent to a Shingon temple in his native province, Awa, and at eighteen he was converted a priest (1239). Next he went to the Hiyeizan, and read through the Tripitaka five times to find the highest doctrine. It was in the year 1253 that finding the highest doctrine taught by Buddha Shaka in the Saddharmapundarika-sutra, he established his sect, and began to promulgate the doctrine. His first sermon was made at a temple in his native district before an audience consisting of his friends and neighbours. He boldly declared that his new sect was the highest and best of all existing sects, and ridiculed the other sects so vehemently that the enraged hearers rushed to him, and he had to fly for his life. He then went to a village named Nagoé near Kamakura, and lived in a small temple, named Hokkédō. In 1260 he produced his famous work, entitled Ritsusei-ankoku-ron, in which are pointed out the shortcomings of the older sects. He now coined the so called Four Maxims, to wit, "The worshipper of Amida is doomed to fall into Hell. The men of the Zen sect are devils. To believe in the Shingon is to destroy the State. The believer of the Ritsu is a traitor." He presented the book to Tokiyori, the Regent, who was not a little provoked by the bold vituperation, as he was the earnest supporter of the Zen sect. In the following year he was banished to Itō in the province of Izu, where he made many converts.

In 1268 there came to the Kamakura government a messenger from Kublaikhan, a great Chinese Emperor of the Yūan dynasty, who afterwards sent an expedition to invade Japan. Now Nichiren, taking advantage of the impending crisis, attributed all the troubles and

dangers of the State to the worshippers of the other sects, and presented an essay, couched in offensive terms and full of revilement to the Regent Tokimuné. In consequence he was thrown into prison and condemned to death. He was to be beheaded at Tatsunokuchi of Kamakura. But when the night for his execution set in, a terrible storm arose, and the execution was suspended. A marvel is told respecting this incident. When the executioner lifted up his sword to deal a fatal blow on the prisoner, the blade was broken into pieces by some supernatural power. The awe-stricken executioner despatched a messenger to Tokimuné, and informed what had happened. Then Tokimuné banished him to the island of Sado in the year 1271. He was released from the banishment shortly afterwards, and retired to a mountainous district in Kai province. Then he established a monastery, known as the Minobusan. Thus the Nichiren sect with its founder's proud and audacious spirit came into existence.

We must here notice that prior to this Kamakura period a sect named the Yūzū-nembutsu was established by Ryōnin. The sect may justly be called the offspring of the Kégon, united with the Pure Land doctrine. It is said that the founder personally met with Amitabha, whilst in his contemplation, and received instruction respecting the mode of prayer directly from Buddha. This event occurred in the year 1117.

Another minor sect, Jishū, of the Pure Land school, was founded by Ippen in the year 1275. As it was the case with the founders of the new sects, Ippen studied the Tendai doctrine in the Hiyei monastery. After twelve years' investigation, he abandoned the Holy Path school, and received instruction in the Pure Land doctrine from Shotatsu of the Jōdo sect for eleven years. He established his sect by the revelation of the god of Kamo. Afterwards he travelled from place to place, making converts wherever he went. On this account he was called the wandering priest.

From the above it will be seen that a great evolution took place in our religion during this period. In the first place, before this period, it had been theoretical, but now it became practical; in the second place, it had had only the Holy Path school, but now it had the Pure Land school; in the third place, it had adopted the complicated and difficult process of salvation, but now it adopted the simple and easy

process; in the fourth place, it had formerly appealed to intellect, but now it began to appeal to emotion. All these modern Japanese sects were founded during this memorable period; hence it is called the period of the establishment of modern sects in Japan.

We have now come to a period which we call the dark age of the Japanese history. It includes the period of the South and North dynasty (1333-1392) and the period of anarchy (1392-1600). During this dark age Buddhism was also thrown into utter darkness, and no light of reform or development was seen. W have stated above that there were many large temples which had thousands of sacerdotal soldiers, and that the most powerful of all was the Enryaku temple on the Hiyei. Now Emperor Godaigo of the South dynasty (1318-1336) intended to make use of these priestly warriors. For this purpose he made Prinse Sonun the abbot of the Hiyeizan, and paid a visit to the Tōdai temple and the Kōfuku temple to persuade the priests to fight for the throne. Since then the Hiyeizan became for a time a strong fortress of the legitimate Emperors of the South dynasty, while the priests of the other temples often sided with the North dynasty. In this way the priests of the large temples always played a part in the bloody tragedy of the dark age

In the mean while there arose a mob, called the Ikkō Ikki, (the mob of the Shin sect), in the early part of Emperor Gotsuchimikado's reign (1464-1500). It was first led by a priest, Kenju, of the Shin sect, better known as Rennyo Shōnin, who was a man of so wonderful eloquence and genius that he was regarded as Buddha in flesh by his admirers. Under his influence the Honganji temple grew so rich and powerful that the priests of the Hiyeizan out of jeolousy fell upon the temple, and burnt it to the ground in the year 1465. Kenju effected a narrow escape and fled to Ōtsu. Then he travelled through the northern provinces, and there making a great deal of converts, he built a temple at Echizen. He was surrounded by a disorderly multitude, consisting of his believers, joined by outlaws. In the mean time the Senshū temple at Takata in Shimotsuké grew also rich and prosperous, and a conflict took place between the followers of Kenju and those of the Senshū temple. The former remained victor in the field, and almost all the northern provinces fell into their hand.

Just at this time arose another mob that belonged to the Nichiren

sect. This mob attacked the Shinshū mob, and set the Honganji on fire. They next made an attack at the Hiyeizan, and were beaten back by the priestly soldiers of the monastery. The twenty one temples belonging to the Nichiren sect were burnt, and three thousands of priests were killed. Kenju's great grand son, Kōkyo built a large temple at Eshiyama, Settsu, and named it the Honganji. Afterwards it became the headquarter of the Ishiyama mob. Besides these the Négoro and the Kōya monastery in the Province Kii had a number of armed priests, and tried to promulgate the doctrie by force.

While the Buddhistic priests were engaged in continual strifes with the brethren of their own flesh and blood, a formidabe enemy invaded their ecclesiastical territory. It was in the year 1549 that Francis Xavier arrived at Kagoshima with his companions, and began to teach the Gospel of Christ in Kyūshū. It is said that, this famous missionary baptized thousands of people within a single year. The new religion was so successfully propagated that in the space of thirty years there were 300 clergymen, 250 churches, 300,000 believers.

Ota Nobunaga, one of the greatest warriors of the age, intended to make use of the new faith in order to ruin the sacerdotal soldiers. With this aim he allowed Christian missionaries to preach the Gospal in Kyōto in the year 1568. Next he built a church, named Nanbanji, and invited three missionaries from Portugal. Thus on one hand Nobunaga patronized Christianity, and on the other he did his best to destroy the sacerdotal soldiers. In 1570 he attacked the Honganji temple at Eshiyama (present Ōsaka) and won a decisive victory over the followers of the abbot Kōsa. In the following year he laid siege to the Hiyeizan, and set fire to the great monastery from all quarters. He butchered without mercy all priests, women, and children. Thus the great monastery, which had been honoured as the guardian temple of the Imperial metropolis for about eight hundred years, which had been the mother church of all modern sects of Japanese Buddhism, and which had been the headquarter of the valiant priests, who had been the terror to the neighbouring districts, was now reduced to ashes, and nothing remained but hollow vales and black rocks. Nobunaga deprived the monastery of all landed property and gave it to one of his subjects. In the year 1574 he fought with the mob of Nagashima, consisting of the Shin-shū believers, and killed the greater

number of them. In this way the sacerdotal soldiers and mobs were almost reduced to nothing by Nobunaga.

We have here to observe that during the dark age the Zen sect was quite free from corruption that was rampant among the Buddhistic circle. While the storm of war was raging in the country, the serene light of peace and holiness always abode with it. It produced many a priest of note during the age, and was more prosperous than in the preceding period. In the reign of Emperor Godaigo (1318-1339) the Sōtō school of the Zen sect was successfully promulgated by Keizan, who founded a temple, named Sōjiji, in Noto province, in 1321. In the same year the Emperor asked him ten questions as to the doctrine, and his answer pleased and satisfied the Sovereign so much that he bestowed a purple scarf on the priest as a mark of respect, and made the Sōjiji the head temple of the school. The Rinzai school was no less prosperous than the Sōtō. In the year 1326 Myōchō founded the Daitoku temple at Murasakino, and established the Daitoku school. The founder of the Tenryū temple was the most distinguished of all Rinzai priests of the day. He was named Soseki, and is better known as Musō Kokushi. He was appointed twice the abbot of the Nanzen temple by Imperial order. Even Ashikaga Takauji, the great soldier and statesman under whose influence the North dynasty was established, was glad to call himself his disciple. In 1344, Takauji built the Tenryū temple by Imperial order, and made Soseki the first abbot of it. Emperors Kōgon and Kōmyō of the North dynasty honoured him with their special favour. We may well imagine how the Zen priests were honoured and esteemed by the Shōguns of the Ashikaga family from the fact that the Shōgun Toshimitsu even condescended to adjust the shoes of Reiken, the abbot of the Nanzen temple.

We should also notice that during the dark age learning was almost entirely abandoned by the general public, and it was compelled to take shelter under the roof of Buddhistic temples. No great men of letters could be found amongst the samurai class, but there were numerous learned priests, of whom Shiren, Genyé Soseki, Myōchō were the most noted. The Rinzai temples at Kyōto, such as the Kennin, Tōfuku, Nanzen, Tenryū, and Shokoku were centres of learning. Thus as the Buddhists alone, especially the Rinzai priests, were deeply read in

the Chinese literature and could write Chinese at ease, they were sent to China by the Shōgun as ambassadors, and Chinese priests in turn came to Japan as ambassadors. Therefore we are indebted to the Buddhists for the preservation of learning during this period. But with all the merits and demerits, the age may justly be called the dark age of Buddhism in Japan.

We have now to make a few remarks about the last period in the mediæval history of Buddhism in Japan, or the period of the Tokugawa Régime (1600-1867), in which Buddhism became the State religion. Prior to this period, as stated above, Christianity had made an encroachment in the Buddhistic territories of Kiushū and the central and the north-eastern provinces with extraordinary rapidity. Hidéyoshi, better known as Taikō, saw this with alarm because he anticipated the deadly conflict between the believers of Jesus and those of Shaka, which should necessarily throw the State into great commotion. Moreover the Christian missionaries offended the warrior with their hanghty behaviour, and caused him to make up his mind to dispal the new religion out of the land. In 1586 Taikō issued an injunction, prohibiting people under penalty of death from embracing the new faith, and ordered all the missionaries to return home. It is said that in the year 1590 over 20,000 Christians were beheaded, but it did little to extirpate Christianity from the land.

In the early part of the Tokugawa Rigime, an alarming news was brought to the Shōgun by some Dutch, that the Christians, assisted by the Spaniards, were forming a conspiracy against the Shōgunate. This event renewed the persecution of the Christians and the banishment of the foreign missionaries. At last the desperate Christians rose in an open rebellion in the year 1637, which is known as the Shimabara rebellion. At this time upwards of 4000 Christians were butchered without mercy. This rebellion taught no good lesson to the Tokugawa government about the believers and missionaries of the new religion. Since then the Shōgun took a measure of leaving no people alive, who was not the parishioner of a Buddhistic temple. Thus Buddhism was made the State religion of Japan.

Iyéyasu, the first Shōgun of the Tokugawa family, caused the Hiyeizan to be rebuilt, which had beed ruined by Nobunaga. He bestowed on it a tract of land, producing three thousand *koku* of rice,

and appointed Tenkai, known as Jigen Daishi, the abbot of the monastery. The abbot was called the black-robe minister, for he helped Iyeyasu as his counsellor in his great work of establishing the Tokugawa Régime. The third Shōgun, Iyémitsu, founded the Kwan-yei temple at Uyéno and the Rinnō temple at Nikkō, and the Imperial princes alone could be appointed the abbots of those temples.

After Rennyo Shōnin (1415-1499) preached the Gospel of Amitabha, the Shin sect made a steady progress. Its believers were strongly attached to its head temple, Honganji, with the charateristic zeal, and worshiped the abbot as Buddha in flesh. In the year 1602 Iyéyasu ordered a son of Kōsa, the eleventh patriarch of the sect, to built a temple at Karasumaru, Kyōto, and it was also called Honganji. Thus the two great Honganjis, representing the Western Paradise, came into existence.

It shsuld be remembered that during this period the Ōbaku school of the Zen sect was introduced by a Chinese priest, Ingen. In 1654 he was invited to Japan by the priest of the Kōfuku temple at Nagasaki. After a few years' stay at Settsu, he came to the metropolis, and was received with cordial welcome by the Shōgun Iyétsuna, and his subjects. In 1661 the Shōgun bestowed on him a strip of land at Uji, Yamashiro, where he founded the Manpuku temple, the head temple of the school, known as Obakusan.

Another noticeable fact during this period is the exodus of Confucianism from the Buddhistic circle. The Buddhists had been the preservers of learning during the dark age, and there had been no Confucianist outside of the Buddhistic community. In consequence, in the ealy part of the Tokugawa period the Confucianist used to shave their heads and to wear the priestly robe, but Fugiwara Seika, one of the greatest Chinese scholars of the age, put aside his black garment, and formed the circle of Confucianists with his disciples, of whom Hayashi Rasan was the most distinguished. Thus the revival of letters marked the Tokugawa period.

Now the day of storm and rage was over, and the sunshine and joy pervailed in the Buddhistic community Every large temple of every sect was patronized by feudal lords, and rich with its landed property. Every small temple was prosperous with its parishioners. Every Buddhist scholar was esteemed by the daimyos, and every

nameless priest was admired by his parishioners. Contentment and peace gradually lulled the Buddhists into repose and over two hundred and fifty years they slept a quiet sleep, until they were aroused by the report of the cannon fired from the American warship in 1853. This is the end of the mediæval history of Buddhism in Japan.

With the Restoration of Meiji (1868) dawns the modern history of Japanese Buddhism, and the priests, who awoke in amazement from the dreams of the Feudal period, had to encounter the storm of revolution raging over the whole country. The Restoration of Meiji was indeed the greatest of revolutions that this island empire ever underwent. Its magic wand left nothing untouched and unchanged. It was the Restoration that overthrew the Tokugawa Shōgunate, which reigned supreme for over two centuries and a half. It was the Restoration that brought us face to face with the Occidentals. It was the Restoration that pulled the demi-gods of the Feudal lords down to the level of the commoners. It was the Restoration that deprived the samurais of their fiefs and reduced them to penury. It was the Restoration that taught the people to build their houses of bricks and stones and to construct ships and bridges of iron instead of wood. It was the Restoration that informed us that eclipses and comets are not to be feared, and that earthquakes are not caused by a huge cat-fish in the bottom of the earth. It was the Restoration that taught the people to use the drum-backing thunder as their messenger, and to make use of the railroad instead of the palanquin. It was the Restoration that set the earth in motion, and proved that there is no rabbit in the moon. It was the Restoratoin that bestowed on Socrates and Aristotle the chairs left vacant by Confucius and Mencius. It was the Restoration that let Shakespeare and Goethe take the place of Bakin and Chikamatsu. It was the Restoration that deprived the people of the swords and top-knots. In short after the Restoration a great change took place in administration, in art, in science, in literature, in language spoken and written, in taste, in custom, in the mode of living, nay, in everything.

Now let us observe what modifications were brought on Buddhism by this Restoration. At the every beginning of the present period of Meiji, the Buddhist was deprived of those privileges that he enjoyed during the Tokugawa period. The land estates, granted to the large temples, were restored to the government, and the supporters of the

temples, mostly Daimyos and their retainers, were reduced to poverty; as its consequence many large temples were left half ruined to the mercy of rains and tempests. The priests were divested of the dignity and office and treated as the common members of the nation. The new government abolished the law prohibiting marriage and meat-eating that the Tokugawa government imposed on the priests. This eventually destroyed celibacy and the monkish way of living, which were held essential to the holiness of the Buddhist; hence at present there is no sect that has not married priests in it.

As we have described above, Shintoism had been absorbed into Buddhism through the hand of Kōbō and Dengyō over a thousand years before the Restoration. Since that time nothing had happened to dissolve the union of the two faiths, and accordingly it had grown customary with our fathers not to worship gods alone but together with Buddha. The new government, however, prohibited so called intermixture of Buddhism and Shintoism, and the result was the disunion of the two and the short-lived prosperity of Shintoism. We are of opinion that this unjust measure was resorted to by the statesmen, whose mistaken view went so far as to associate Shintoism with the Imperial family, and Buddhism with the Tokugawa, so that they thought it necessary to make Shintoism overmaster Buddhism. For this purpose the Imperial princes, who had been converted priests, were ordered to forsake their religion, and priests of high order were encouraged to become Shintoists. Then cries were raised against Buddhism by those sycophants of the time, who are found in every age. This gave no small shock to Buddhism that shook many faithless priests and believers off from it. Thus Buddhism ceased to be the State religion of Japan.

After the Restoration Christian missionaries from Europe and America resumed the work commenced by Saint Xavier. They met a brilliant success, since they introduced the Western civilization together with the Gospel of Christ. This called forth the reactionary movement on the part of the Buddhists, assisted by people of the conservative turn of mind. They exerted themselves to impart to the people the notion that Christianity endangers the State. They formed an association, named the Great Confederation of the Faithful Subjects and the Buddha-worshippers. This movement did not last long, because the

Buddhists soon saw that they had better preach their own doctrine, than to speak evil of others. Since that time there has been no great conflict between the Buddhists and the Christians, nay, at any rate it appears to us, the two religions are growing more and more friendly with each other. The friendly meeting of all religious men in Tōkyō, held twice these few years, warrants to our assumption.

It is neither Shintoism nor Christianity, but the Buddhists themselves, that has placed our religion in such a deplorable state as it is now. The Tokugawa period having been the golden age of the Buddhists, they were reluctant to part with the old institution and custom; moreover the pride and vanity of their better days were still running through their veins. Whilst thus they were dreaming of the pleasant past with their backs turning towards the public, the people made a rapid progress in culture. The result was that the Buddhist, who had hitherto been the leader in the religious and educational affairs as well, became now the straggler in the path of knowledge. This at length drew forth severe criticism on the priests from all quarters of society. They could not but become aware of the urgent necessity of leaving the old mode of education and of establishing their own schools and colleges in order to give the young priests liberal education. Since then every Buddhist sect in Japan has come to have its educational institutions in which the sacred books together with science and literature are taught.

One of the most striking facts that mark the modern history of Japanese Buddhism is its production of petty reformers. Many a priest is fully aware that the pesent state of the Buddhist life is far from being satisfactory, and the desire for reform, it seems, is growing stronger every day. One of these reformers is thelate Tanzan Hara of the Sōtō sect, who boldly claimed a higher enlightenment than that of the founder of his religion, and tried to establish his doctrine of Contemplation in compliance with philosophical and scientific principles. Unfortunately he left no disciple faithful to his doctrine after his death that took place several years ago. Another is Dōryū Kitabataké of the Shin sect. We are informed that his object is to redress the whole ecclesiastical abuses of the Buddhist sects. We regret, however, his heart does not go with his words. Really he struts and threats, yet his struts and threats are those of an actor; in fact he simplyis playing

part of a reformer. So that no body now listens to his loud brags.

Another reformer fo the similar type is the late Ninkai Mizutani of the Tendai sect. He called himself Dai-bosatsu (Great Bodhisattva), yet he hardly deserved the title; he had better call himself Buddhist Diogenes in Japan, because he lived in a little box-carriage and wandered about the streets. There are many other reformers, such as Daidō, Chōan, Chikaku, Tanaka and others, but none has the vital blood of faith sufficient to renew the life of the old religion.

Another noticeable fact that marks the present religious circle is the conflict of the progressive and the conservative Buddhists. The former are represented by the young graduates of the Imperial University, and of other colleges of private institution, and mostly of the sectarian colleges, and the latter by the old influencial priests of established reputation, and other dignitaries of the head temples. On this account the former may be called with appropriateness the Juniors, while the latter, the Seniors. To the Juniors reformation is everything, but to the Seniors peace and order are all. The Juniors are breaking loose from austerities and hard practices, while the Seniors are strictly observing the moral precepts and ceremonies. The Seniors deify Buddha, but the Juniors personify him. The Juniors are free from old superstitions and beliefs, but the Seniors are attached to them. The Juniors think the Seniors obstinate, stupid, and superstitious, while the Seniors call the Juniors disbelievers, heretics, and vagabonds. The Juniors are supported by the rising generation, while the Seniors are strongly backed by old believers.

There is no Buddhist sect, therefore, which is exempted from this conflict of the Juniors and the Seniors. A remarkable instance is the disturbance of the Shin-Sect, which has been caused by the Junior's bold opposition to the Seniors of the East-Honganji temple. So also the disturbances of the Sōtō, the Shingon, and the Ōbaku sect are due more or less to this conflict of the two. The most progressive of all the Japanese sects is the Shin, which no other sect can excel in riches and prosperity; while the most conservative is the Tendai sect. Considered as a whole, all the Buddhists are looking for the appearance of a great reformer.

The late Japan-China war has produced a favourable result for Japanese Buddhism. In the first place it has called forth the patriotic spirit that lay dormant in the hearts of the Buddhists; in the second place it has shown the usefulness of the priests, when the State is in danger; in the third place it has taught the soldiers to believe in Buddhism in order to have valour that nothing can daunt; in the fourth place it has turned the public attention to the Contemplative sects, which are peculiarly adapted to the warriors; in the fifth place it has added a new territory, Formosa, to the State and Buddhism as well.

In some quarters of the educated class is made the comparative study of the Buddhist doctrine with the scientific and the philosophical principles. Dr. Hiroyuki Katō may be the foremost among these scholars. He severely criticizes the law of Karma from a scientific point views. This study is pursued by his followers and young priests. Though it is condemned as irreligious by many of the dogmatic Buddhists, yet it will succeed in a long run in purging the poisonous superstition out of Buddhism.

As for the future of Buddhism in Japan, we expect that a victory will be won by the Juniors over the Seniors after a prolonged struggle; that the remodeling of its doctrines, and purifying them from old Hinduism will come to pass; and that at last the spirit of the founder, Gautoma, "the most powerful, the boldest and most radical reformer that ever appeared in the history of mankind" will be restored to Buddhism. So we have a bright future prospect of our religion.

In conclusion let us borrow the phraseology of Professor Williams in making a few remarks about the merits of Japanese Buddhism. "We admit that Japanese Buddhism conferred many benefits on the nation. It introduced Chinese and Korean culture and art; it encouraged literature and science; it promoted physical, moral, and intellectual progress up to a certain point; it proclaimed peace, good will, and brotherhood among us; it avowed sympathy with social liberty and freedom; it preached purity in thought, word and deed; it taught self-denial; it inculcated generosity, charity, tolerance, love, self-sacrifice, and benevolence, even towards the inferior animals; it

forbade avarice; it did good service for a time in preventing stagnation, stimulating exertion, promoting good works of all kinds, and elevating the character of the whole nation." So it is with the past of Japanese Buddhism, and it will do more for the welfare and civilization of the nation in the future.

(*The end*).

KAIFU NUKARIYA.

THE CURRENCY SYSTEM IN JAPAN.

(Continued.)

But since the latter part of 1890, our economic situation was brought into a very favourable condition as regards the working of the single standard of silver. This is clearly seen from the fact that one consequence of the great fall of silver was to inevitably bring about such a condition of affair as to cause a large exportation of our industrial articles to countries having a gold standard. In order to throw light upon this point, I shall appeal to the movement of the foreign commerce of Japan. Since the depreciation of silver appeared in gold standard countries, it produced an actual premium on the exportation of our commodities, while in our own country silver had a steadfast general purchasing power. Articles which were not formerly sold were exported now to the foreign markets of Europe and America at a loss of ten, fifteen and twenty per cent on the cost of production and expenses incurred, because compensation was found in the profit in exchange of twenty-five and thirty per cent, corresponding to the fall in value of silver; and for this reason the export of our industrial articles was increasing with great rapidity. From this condition of affairs the production and manufacture of our commodities, such as silk, tea, rice, fancy goods, matting and metal works etc. were remarkably increased. This is an indisputable fact which recently appeared in the course of our foreign trade.

Moreover the so called depreciation of silver produced the same favorable effect upon our industrial situation as if a protective tariff had been imposed upon articles imported from gold using countries. For the prices of commodities imported from gold countries were largely raised in our market in consequence of the variation in the relative value between gold and silver. These high prices of commodities imported from gold states, measured in our silver, more or less curtailed their importation. This gradually compelled us to manufacture for ourselves. Although our competition with the importation from gold countries was not still great, yet as I have

shown, the fall in value of silver and the variation in the rate of exchange amounted to an aggregate of margin which enabled our country to manufacture with a fair degree of success. And these kinds of industry were gradually improving by the use of machinery. I thought that this would soon create a strong stimulus to the extensive growth of manufacturing industries in our country which would struggle in direct competition with foreign goods and ultimately tend to curtail their importation and perhaps permanently replace them. The reason why a silver state could no longer import as freely as before, will be clearly seen when we consider the following fact. Foreign articles can not be sold to us unless at an advance of about fifty per cent on previous years. The uncertainty in the value of silver makes this charge a more serious check to import trade than an artificial high tariff. It was an obvious and indisputable fact that the British export trade greatly fell off with Japan, China, Mexico, India, Java and many other silver states, and was still declining, while it was not seen to decrease with gold using states. I had no doubt that the high prices of Britsh goods, reckoned in our silver, would still further prevent their importation into our country. This would expand our industry and promote our production. The wheel of industry would be set in motion and men might be called from idleness to labor and an era of prosperity be ushered in. These beneficial effects produced in great degree under silver basis.

As a consequence of the foregoing economic fact, since the beginning of 1891, the importation of silver was gradually increasing. I thought this was a great blessing, for it would supply a necessary demand of money for the actual circulation in the country. Our country must have a sufficient volume of money to facilitate and promote our growing industry and commerce. However I am not a believer in the mercantile theory. Nor am I like the German and American farmer whose cry is more money. At the same time I am well awere that too much or too little money is alike injurious to the growth and development of industry. The reason why we must have a very considerable quantity of money is that there is in Japan a general lack of the use of the "mechanism of exchange," which under the modern system of industry economizes in so large a degree the volume and use of real money. I have no doubt that the need of a

general, credit system has been greatly intensified by the unduly deficient supply of metallic money which, as I have already stated, has always prevailed in our monetary systeme. However I do not believe that a very great extension of credit is beneficial under our present economic condition; on the contrary, I believe that it is wise to limit the application of credit to the most helpful and least dangerous function and to bilud our financial system upon the safe and solid foundation of cash payment.

A still stronger reason why Japan must have a large quantity of money is clearly seen from a consideration of the nature of our industrial organization. Our present system of industry is minutly divided. Wealth is infinitely distributed. Real estate is cut up into small lots and personal property is separated into small quantities. These small sales are settled daily among the small country farmers. The condition is similar among the laboring class. There are in Japan, as elsewhere, great work-shops and large factories. But most of our humble artisans are working singly in their own homes. And most of our tradesmen, who do a very small business with extremely limited capital, can not do without the aid of actual money. As it is, our industrial condition is entirely different from that of England and the United States, where wealth is extremely centralized. We cannot settle our numerous small transactions by checques, drafts and bills, with which the English and American system of industry is organized. Moreover our growing population and industry will need yearly an increasing supply of metalic money. I can not tell how much additional money can be used and absorbed under existing conditions by a country growing as rapidly as Japan. But it must be largely increased meet to the industrial activity. These are certainly the main rəssons why Japan should have a very considerable quantity of real money.

Thus we have seen that the imported silver would find productive employment, and that agriculture and industry would certainly be developed. Naturally, also the growth of our production and manufactures would cause proportionate diminution in the consumption of European goods and would in time end in completely superseding some of them. This consequence of the increase in the currency of Japan, wss already beginning to be realized. For a long time, we

had, if not many, yet some great manufactories of cotton and woolen fabrics, of paper etc., and their number was increasing. In the year 1892, manufactories of matting, glass, and iron opened their doors. Steamship and railway industries was rapidly growing along the coast and in the important manufacturing towns. Besides these noteworthy examples new manufactures of various kinds, such as metal foundries, some of which on a very large scale were marketing their product in Europe and America. We were sure, then, that if our imported silver remained in the country, we could utilize it in every way. We had then the fullest confidence in the importation of silver. It would undoubtedly have a most beneficial effect upon the future prosperity of the Empire.

Another advantage of our silver standard was clearly found in the transactions and general intercourse between Japan and other eastern silver states. For the transacton of business between them were facilitated and promoted to a far greater degree, since our monetary system conformed to theirs. The market for our various manufactured articles was largely extended in countries such as China, Korea, Siam, Eastern Russia etc. For these nations gradually increased their demand for our commodities since their industrial relations with us became more favorable and sometimes they imported less from countries with a gold standard. Moreover the gradual expansion of their export trade will naturally encourage the importation of silver so that it will raise their purchasing power for the consumption of our commodities. So again the silver standard of our country would much facilitate our purchase of their agricultural product when the crop of rice may chance to fail in our own country. When such is the case, payment in silver would be very advantageous to our country.

As it is, the working of the silver standard in Japan was unquestionably producing a very desirable effect upon our trade and industry. But we are well aware that when the growth and development of our commerce and industry has been attained and when the country has become more and more wealthy, our purchasing power will be raised which will also call forth a great extension of import trade. Thus the advantage of foreign commerce would be mutually distributed, and commercial, in-

dustrial and social intercourse between Japan and the gold states would be satisfactorily accomplished without breaking down the fundamental principle of international trade.

Under such a condition of affairs, Japan should remain a silver monometalic nation for a time at least. Japan must have an independent system of monetary affairs which would be the most suitable and adequate to her financial and economic structure. We could do so because our financial life is entirely different from that of the Indian Empire, which has always been under the money of foriegn governments. I have already stated that our industrial progress has been greatly depressed and disturbed in consequence of an excessive issue of incontrovertible paper currency. But we see that this mischievous paper was nearly redeemed and the public confidence was remarkably improving. Indeed without the aid of silver we could never get rid of the great evil of this paper. The enterprising spirit of our industrial classes was exceedingly alert and we might expect that the near future of Japan would be very busy and prosperous.

(*To be continued.*)

Toyojirō Kotégawa.

THE FUTURE OF CHRISTIANITY IN JAPAN

In 1891, Mr. Kanamori published a book on the future of Christianity in Japan, of which it has been said that it contains the destruction of the present, and no construction of a future, Christianity. This has been the subject of many articles, but they contain nothing but pious wishes, and no elaborate essay has yet appeared. Also Mr. Gorō Takahashi's recent utterances seem, in my opinion, to lack foundation. If I undertake now to give my ideas of the matter, it is because I think the two points of view have not yet been fully set forth, from which, according to my opinion, the answer must start: first, whether her historical conditions render Japan susceptible to Christianity, and second, whether Christianity can be brought into harmony with modern philosophy and science.

I.

In order to fit Japan to receive Christianity, it is necessary to first Christianize the ideas which prevailed before the arrival of Christianity, and here we must not be afraid to let both sets of ideas clash against one another, for if the Christian faith is really what it pretends to be, life and truth, it will surely win the battle. It is since a few years, that the interest of the Japanese Christians has been centred upon the "Japanization of Christianity." I think that the demand to "Japanize" Christianity is a right one, but a great mistake has been committed through which the power of Christianity has been greatly weakened: namely people have laid the chief stress not upon Christianity, but upon "Japanization." It is my conviction that we, Christians, must maintain, that the Christian religion as well as Christian ethics is once for all better and more perfect than the Japanese religion and Japanese ethics. We have a historical instance of such a collision in old Greece and Rome, and it was certainly a violent and clashing one. This was due not only to the cruelty of the persecution, but also to the strong conflict of the two sets of ideas, and we see clearly that it was the Christian idea which had a far

greater influence upon the mind of Greek and Roman thinkers, than otherwise, though those who came under its influence were partly unconscious of it. This was the first step to the victory of Christianity. The question is whether our history has prepared us for Christianity, as Rome was prepared in the time of the apostles, i. e. whether the time is fulfilled for Japan also.

I think that this is the case, and I base my opinion upon the history of the Meiji reform. This reform had its origin in the fact that the Japanese spirit could no longer bear the pressure of the feudal system, and thus there happened a sudden rupture with the tendency to create "a new heaven and a new earth." We must understand this movement as a sign that the Japanese spirit has been revivified, and that it is capable of development. But if it is to be developed, its contents must be increased, and in this tendency to develop, the religious life is also involved as a matter of course. But our former religious systems, Shintoism, Confucianism and Buddhism, can not enter into this development. Bnddhism can not do so, for it is too pessimistic and too much despises the world and worldly life. Confucianism can not do so, for it is too intimately connected with the feudal system. And Shintoism can not do so, although it seems to be in the closest harmony with the idea of Japanese nationalism, for its circle of ideas is too narrow and its contents too poor. Such systems will not do in a time when we, as the Imperial Rescript says, are "seeking for the wisdom of the whole world." Therefore it was surely for supplying the want of the times that Christianity was introduced in Japan. And this was done already in the time when the proclamations of prohibition were still to be read on all streets and cross-roads of the country. The result of the above step was the rapid success of Christianity between 1881 and 1891. At this time Christianity was like a ship having the wind in her sails.

But if the old house is destroyed, a new one ought to be built, after the best plan for building it. Thus it was quite natural, that when the onesided tendency for sudden Eruopeanization declined, a more sober and at the same time a cooler attitude was taken towards the new religion, the more so, because ours is a time of criticism and we have imported the whole European scepticism of the age. In such a time we, can easily understand that two quite

opposite currents exist, a conservative and reactionary one represented by the Nippon Shugi, and a more liberal and progressive one. The conservatives of the Nippon Shugi do not wholly reject the new ideas, but they plant them simply upon the old foundation, forgetting that the new civilisation needs a deeper substructure. Thus the conservative tendency itself is doomed to superficiality. The more liberal ones aim at a real organic combination of the old and new ideas, but we must never forget, that our country has made but the first steps in the way of progress, and that whether we are able to stand this extraordinary change, and bring forth the fruits of the new civilisation, can be shown only by the future history of Japan. With this progressive tendency of the Japanese spirit Christianity is in harmony, and contributes greatly to the renewal of the Japanese mind. Thus Christianity can and must be made the foundation of New Japan.

II.

But if Christianity is thus to enter into Japan, it must of course stand, like all other things, the closest criticism, especially in a country where already some other ethical and religious systems with very different views of the world exist. This criticism emanates chiefly from the camp of modern philosophy and science. And the chief point is the collision of Supernaturalism with Rationalism, i.e. of the belief in miracles with the modern view of the world. This modern view has been victorious in all fields, in natural science as well as in philosophy. Religion is in itself conservative, and therefore it is only now, that the fight has begun here also. But apparently the religious view of the world, and therefore also the Christian view, is at present in a transitory state. The conservative, i.e. the orthodox, party bases its view on the old Supernaturalism, and holds strictly the belief in the inspiration of the Bible, i.e. that everything which is narrated in the Bible is true, especially the miracles which are alleged to have been done by Jesus or happened in connection with his life; they also teach the old doctrine of the two natures in Christ, the human and the divine, the doctrine of atonement, the miraculous effect of Baptism and the Lord's Supper and so on. But a heavy blow has been struck to this view by the modern criticism of the Bible and by

the idea of evolution which is the leading one even in modern theology. In all these points, Christianity is undergoing a new formulation. It is from this movement that the idea of a free Christianity has arisen. This free Christianity does not contradict the solid results of modern knowledge, but it is by no means to be feared that these new results mean any danger to a true faith; on the contrary, it attempts to reconcile both and to use the modern view as a scientific foundation of true Christianity; it is convinced that the true core of Christianity remains the same even in the modern garb. What is free Christianity? It will keep the ethics of the Sermon on the Mount and make it the leading principle of life; its principles will be love of God, repentance of sin, spiritual union and real intercourse with God. It will not explain this religion and ethics solely by the intellectual process of reasoning, but it will see the real life of faith in the personality of Jesus, and the power of that life in his death. It is this power which has kept the faith of the disciples living, and it is this power of faith which liberal Christianity wishes to obtain. Such is our view from the side of faith. In the theoretical field there arise the questions: What is religion? What is morality, God, world, men, etc? These questions must be brought into the forum of intellect, and here we try to overcome the old supernaturalistic and miraculous view by the view of rationalism and immanency. This is simply a necessity of our age; but I repeat, that I am firmly convinced that the true core of Christianity is hereby neither altered nor deteriorated, but on the contrary freed from elements not essential to itself. Some one may object saying that this is rather an arbitrary way of dealing with Christianity. But there has never been any other way of appropriating it. The Apostle Paul said that he will be a Jew for the Jews and a Greek for the Greeks and the gospel which he preached to the Greeks had an aspect very different from that which Jesus had preached to the Jews. In Greece and in Rome, in the middle ages and in the Reformation, outward changes were made in the garb of Christianity, as has been clearly shown by men like Harnack (German) and Hatch (English.) Therefore we claim a historical right to change the *form* of Christianity.

Christianity was in progress in Japan, but this progress was checked through the new conservatism. One reason however, for the slow

rate of progress in late years is to be found in Christianity itself; for it was orthodox Christianity, which was brought to Japan, and it would not make any compromise with modern views. It was not the thing which New Japan wanted in her thirst for modern culture and progress. Therefore it is my conviction that only a modern, i.e., a liberal Christianity is possible in Japan. I am of course far from denying that among the uneducated classes, orthodox Christianity has still a wide field, but even they will once either reject Christianity altogether or at least have to make an unnecessary roundabout way. The representatives of a liberal Christianity in this country, of whom I am one, believe strictly that Christianity can not take a real hold of Japan except in a modern garb. Therefore, though we know the limits of our power, and though we have experienced much contradiction from all sides, we have attempted and are attempting a practical mission in our church, which we call Fukyū Fukuin Kyōkwai; we do literary work in our monthly magazine for scientific theology; *Shinri*; and have a theological school and several congregations. We are fully aware of the difficulties which beset the task of building congregations upon the basis of liberal Christianity in a heathen land, for we are the first to make this attempt, in Enrope as well as in America the foundation being always laid by orthodox Christianity. But we are determined to do all in our power to accomplish this great thing in our country, and whoever will contribute to this work may enter our ranks.

HAJIMÊ MINAMI.

THE SCARCITY OF CAPITAL IN JAPAN.

The economic and financial difficulties with which Japan is now contending may be conveniently divided into two classes: the superficial or temporary and the deep-seated or permanent. The present paper is devoted exclusively to the consideration of the former, as the latter would require far more space than is possible within the limits of a magazine article. The present temporary troubles are due to a variety of causes, among others the poor rice harvest of last year, and more especially the over-speculation that followed in the wake of the payment of the war indemnity by China. The result of the latter cause was a rapid advance in the price of securities, an augmented demand for labor, an increase of wages and a rapid upward movement in the prices of commodities. The expenditure of the Government on a large scale for military purposes aided this tendency. Later when the speculative movement was arrested by the high rates of interest, the prices of securities fell, without, however, lessening at once the demand for labor or reducing wages. The effects of the abnormally high rates of interest have become most apparent in the past year. Capitalists engaged in *bona fide* productive enterprises have suffered perhaps more than any other class in the community. Indeed the scarcity of capital in the country is unprecedented since the opening of Japan to foreign trade. Any new demand for loans of any description proves only that the markets are gleaned bare of any spare amounts of this valuable article.

To meet the temporary but pressing want of means to carry out the enterprises already begun various measures have been suggested. All of these proposals turn upon some form of Government assistance to the money market by appealing to foreign sources of supply. Whether the Government becomes the purchaser of the private railways of Japan, as some have strongly urged, or whether it buys its own issues of bonds in the domestic markets and sells them abroad, or whether it issues a direct loan to suit foreign subscribers, the ultimate result

is the same in this respect that foreign supplies of capital will come into Japan to make good the deficiencies in the home markets.

Other measures besides those undertaken by the Government for the introduction of foreign capital may be adopted. Private individuals or corporations may borrow upon their own credit from foreigners and thus get at stores of cheaper capital than the home market can supply. But it is doubtful whether in the present state of political and business relations private opportunities of this kind can do more than merely supplement the larger measures undertaken under the sanction of the Government. There is a double difficulty at present in negotiating private securities between Japanese and foreign capitalists. In the first place, there are still legal obstacles in the way of transferring certain properties to the hands of foreigners, a state of things that is likely to continue until the revised treaties go into force. Further more foreign bankers and money lenders are still under the influence of old feelings and customs in regard to accepting Japanese securities. Formerly the Japanese themselves were jealous of entering into credit relations with foreigners. This spirit has indeed passed away, but the effects of it still remain. Foreign money lenders have had but little experience in distinguishing the character of Japanese securities and are not disposed to deal in them immediately. Probably the chief reliance then at the present moment for the increase of foreign capital must be a foreign loan of some kind accomplished under the authority of the Government. The money thus obtained might be used in part at least for the purchase and redemption of domestic bonds. Such a measure would certainly ease the money market somewhat and have considerable effect in enabling the undertakers of productive enterprises to carry out their plans. If the rate of interest now ruling in Japan could be slowly and gradually reduced, there is no doubt that a fresh impulse would be given to numerous industries now languishing from the necessary capital.

There is a wide spread opinion that there is danger in negotiating a foreign loan, because such an addition to the resources of Japan would lead merely to an increase of speculation and to a further advance of prices. The present tendency toward an excess of imports over exports in Japan is, according to a class of writers, already an evidence of an inflation of prices due to an over-issue of the circulating

medium. The only method of stopping this excess, they hold, is to curtail the amount of money in circulation and thus to reduce the prices of commodities throughout the country. Those who advocate this remedy do not specifically state that they wish to see loans curtailed still more than they are at present or the money market made tighter than it is. Yet such a result must surely follow under the present conditions of banking in Japan. The truth is that any further curtailment of loans is now impossible without ruin to many industries. An excess of imports though at times a sign of danger is at present the very best cure in the world for that scarcity of capital which Japan is now suffering from. During the six months ending June 30th, Japan imported rice roughly to the extent of 30,000,000 *yen*. Can any one suppose that this heavy importation was not beneficial and was not to a great extent remedial rather than injurious? The increase in the importation of raw cotton and of railway material is likewise of a beneficial character. It is an indication of a greater potency of production in Japan. It is only articles of luxury,—articles which do not in any way further the increase of production, that do injury when imported to excess, and as this class of foreign commodities is rapidly falling off, it is evident that Japan has nothing to fear from the present uneqaul balance of trade. The fact is that the present excess of imports is a temporary phenomenon and will soon pass over. If the spirit of reckless speculation were rampant in Japan, if many men were rapidly growing rich through over-trading and commercial gambling, then indeed an excess of imports extending over a long period might be fraught with danger. But it is notorious that speculation at present has diminished to the most trifling proportions. It is not the traders who are over prosperous in Japan at the present moment, on the contrary, the trading classes are as seriously embarrassed as the producing classes,—a state of things that would certainly be made worse, if the advice of those who urge a contraction of the currency be accepted. Will those who speak of a glut of the currency or of an excess of imports, as evils, point out how both can be brought to a stop without the most serious injury to the industrial welfare of Japan? The slightest attempt at analyzing the nature of the imports and of the supposed glut of currency must convince anyone that both of these phenomena have far more curative than detrimental properties.

The most important point in connection with the raising of a foreign loan and the introduction of foreign capital is the wise and cautious use of this addition to the productive powers of the country. It is well known that immediately after the close of the late war, there was a craze for extravagant speculation in Japan. Enterprises were floated without the slightest expectation of bringing them to a productive stage. But this period of reckless indulgence has passed away. To-day the really productive enterprises need additional credit and capital that they may exert their full power. But as the Government is called upon to help industry out of its present embarrassments, it has equally the right to put limits upon the use that shall be made of its assistance. It should resolutely refuse to lend its aid to any speculative schemes. No new railways should be projected in Japan for a number of years and charters having these in view should not be granted. The railways now in process of construction should be completed with all convenient dispatch. Likewise mills and factories now in course of building should be finished and put to work as soon as possible. In brief, real production should be stimulated in every legitimate way while speculative enterprises should be avoided. Within these limits any increase of the currency and any reasonable excess of imports can not effect any evil result. The productive powers of the new industries will, when completed, gradually effect a reduction of imports and a growth of exports until both balance each other.

One item of great importance to this country remains to be considered, namely the capacity of the transport facilities in Japan to meet the increased distribution of commodities. This question does not refer to the necessity of new railways, but merely to the capacity of the present lines to meet the increased traffic. Every one knows that the introduction of more capital implies a greater amount and rapidity of exchanges. If the railways are unable to meet the new conditions, if they cannot handle the traffic with speed and economy, much of the advantage of fresh capital will be lost. In many parts of Japan there are bitter complaints that the railways are delinquent in the transportation of goods. For instance, in an important commercial region hardly a hundred miles from Tōkyō, it is impossible at present to get delivery of goods shipped from the capital under a week's time and the time generally required is from two to three weeks. These delays are

a most serious hindrance to the progress of industry. What is the use of desiring cheap capital, when that which is dear is handled with such negligence and waste? The transport facilities of Japan by land and sea ought to be a model of expedition and cheapness; but instead of this, they do not keep pace with other industries. They seem to be conducted in a manner as indifferent to promptness and efficiency as an afternoon garden party, and so long as this state of things lasts the greatest benefit of more and cheaper capital will be lost to Japan.

GARRETT DROPPERS.

MISCELLANEOUS.

THE *BON* FESTIVAL.

What happy thoughts Japanese children and even some grown-up people associate with the word *Bon!* To them it is a time of festivity and merry-making, though to older folks of Buddhistic faith it is a season of prayer and devotion. Strictly speaking the term *Bon* is applied to a few days in July, commencing on the 13th and ending with the 16th. People here make as much ado over this special season in July as they do over the New Year; in fact the *Bon*, along with the New Year and the *Kuré* (the last week of December), is printed in conspicuous type in almanacs and calendars, and is celebrated by people with endless ceremonies and observances. Presents are exchanged among friends and relatives as at the New Year's time; the thoughtful housewife prepares some *dango* (dumplings made of rice-flour) and sends them in a tiny lacquered box to her friends and relatives, who return the compliment in a similar way. The articles most commonly used as presents at this season are sugar, *sōmen* (a sort of vermicelli) and fans all of which are considered indispensable in the hot season. At the moderate cost of, say, twenty-five *sen*, one can purchase two pounds of sugar in a large paper sack tastefully decorated with a *mizuhiki** and a *noshi*,† which one may send to an acquaintance with the compliments of the season. Or you may send two or three of those beautiful fans which make a splendid gift appropriate for the season. The grocer, the fish-monger, the butcher, the dry-goods dealer and other tradesmen whom you patronize invariably proffer you the best wishes for the season by leaving at your kitchen door one of the afore mentioned articles. Nor is it uncommon to see in the street sign-boards inscribed in glaring letters with words of the following tenour; "The *Bon* Sale-slaughter prices with premiums into the bargain." In the good old days when mercantile transactions were conducted in an unbusiness-like way, the prevailing usage among our merchants was to settle accounts with their customers only twice a year, on the last day of December and at the *Bon* season. Such implicit confidence did they place in their customers that they never expected, nor even wished, to have their bills "squared up" at other times of the year. Even

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* According to the Japanese usage articles used as presents must be fastened with a *mizuhiki* (red and white cords, made specially for the purpose) to which is stuck a *noshi* † (a small piece of tinted paper artistically folded).

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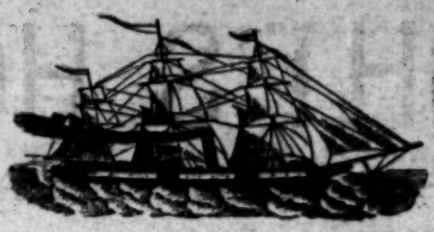
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21	VALETTA	5023	5250	50	CANTON	3317	2500
22	MAZAGON	4997	2500	51	SHANGHAI	3315	2500
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school-teachers and physicians were no exceptions to this rule; they never looked for remunerations in any other months than July and December, so that the rest of the year they were compelled to get the best support they could out of the presents received from time to time from their thoughtful pupils or patients. Thus in old Japan the *Bon* season was a busy time for traders as it was for other classes of people in social and religious ways.



THE WELCOME FIRE.

Walking in the street in the evening during this season you will come across a group of happy-looking youngsters singing the popular *Bon-uta* (song). Why do children look so happy at this particular time of the year? Most likely their fond parents or considerate friends have remembered them with a pair of new *geta* (clogs), or other articles that delight the hearts of little ones. Strange as it may appear, foot-gear is among the articles most commonly used as presents at this season.

The appellation *Bon* is of religious derivation; etymologically, it means a tray on which delicacies are offered to departed souls. The *Uran-bon-yé* is the literary name given to this special season of the year; it means a season commemorating the death of ancestors. The *Bon* festival owes its origin to that beautiful trait of the Japanese character, which disposes them to do reverence to their ancestors. The devout followers of Buddhism make, during the *Bon* season, periodical visits to the resting places of their departed kins-folk which they deck with fresh floral offerings. Even the most indifferent persons (religiously) are disposed to invite priests to come and say prayers before the tablets of deceased ancestors who might perchance be wandering in the lower world. During the *Bon* season priests are busy making calls on their parishioners, while people of religious turn of mind resort to shrines and churches to invoke the divine blessing not upon themselves but upon their relatives now resting in the grave. As a popular

superstition has it, the souls of the deceased pay visits during the *Bon* season to their descendants, to profit by prayers offered for their sake and to enjoy the delicacies specially prepared for them on that occasion. The poor souls that are subjected to starvation in Hell in consequence of sins committed while on earth, are stigmatized as *gaki* or "hungry devils." Here is an interesting story, which I trust the reader will take for what it is worth, that explains how the *Bon* festival came into existence. One Mokuren, a disciple of Buddha, once finding his deceased mother among the company of "hungry devils" went to feed her with a bowlful of boiled rice. What was his surprise when, lo! the rice was turned into a glowing charcoal as it was taken to her mouth. Over-whelmed with grief, Mokuren told the fact to Buddha who calmly told him that his mother had committed while on earth a great sin and was beyond the help of any single prayer. "You had better," said the Teacher of *Nirvana*, "ask the assistance of a host of priests to pray, on the 15th of July, for your ancestors by making offerings of '100 delicacies and 5 species of fruits' set on *bon* (trays) before their tablets." Thus saying Bnddha made a number of priests offer prayers for the salvation of Mokuren's mother, who, by virtue of this service, was saved from her sufferings. Moved by the deepest sense of gratitude, Mokuren asked Bubdha if it would not be better for posterity to observe the *Bon* festival henceforth every year. "Well they may," replied the Great Teacher. Such is the rather romantic explanation of the special religious services held during the *Bon* season. A Buddhist Prayer Book gives the following dates when departed souls make visits to their earthly homes: February 15th, May 15th, July 14th, August 15th, September 16th and December 31st.



THE GIFU LANTERN.

Filial piety is the keystone of Oriental morality, the fountain-head of all other virtues. The regular public remembrance of the souls of departed ancestors sprang from this motive, in other words, from the desire of saving them from the torture of Purgatory through the power of prayer. The same moral idea brought into existence, in subsequent ages, the observances in honour of *Ikimitama* or the souls of living parents, in grateful acknowledgment by their children who would avail themselves of the opportunity to invoke God's blessing upon their parents.

July has come, and the *Bon* season is now at hand. "Ancestors as far back as the seventh generation" are now on their way to their earthly homes, to get the benefit of prayers. Their descendants on earth will first of all get the *Butsudan* (family altar) cleaned and decorated for the occasion to receive their returning forefathers. The services of a priest will be engaged, and relatives invited to join in prayer as well as to partake of a feast in company with the unseen visitors. For a week or so previous to the festival, the mistress of a family is busy making preparations for the reception of the expected guests from another world. On the 12th and 13th of the month the *Kusaichi* or Grass Fair is held, in different parts of the capital, especially in the compounds of Asakusa temple, of Hachiman temple at Fukagawa, and of Myōjin temple at Kanda—a fair where articles requisite for the celebration of the *Bon* festival are sold. Among them may be mentioned lotus flowers, lanterns, hemp stalks, grass-mats, etc.

On the 13th of July the so-called *Shoryo-tana* (lit. The Souls' Shelf) is set up before which a priest is invited to offer a special prayer. In the evening of the same day the *Mukaibi* or Welcome Fire is lit before the front door by burning a few sticks of hemp-stalks on a large clay plate. This done, a tub of water is placed at the front door in which the visiting souls may wash their feet before stepping over the threshold. The *Butsudan* or portable family-shrine is decorated for the occasion in this wise. A *Makomo* or grass-mat is laid on its floor, and toward the back of the sanctum are set up two slender bamboo pillars, one on the right-hand side and the other on the left-hand, across the top of which is stretched a straw festoon to which are fastened a few streams of vermicelli after the manner of waves, dried persimmons, white egg-plants, gourds, etc. The feet of the said pillars are decked with wild flowers. Then there is the *Maségaki* or artificial hedge made of cedar leaves, which measures about five feet in length and six or seven inches in height, set up in the rear part of the altar. This does not finish the decoration; the best of all, (to speak without thought of irreverence) are figures of horses and cattles with bodies made of melons or egg-plants and legs of bamboo sticks, on whose backs the ancestors are supposed to come up to earth. Needless to say the visitors will be treated to all sorts of delicacies, not to speak of the ever-rising fume of incense. On the first day of the arrival the *Mukai-dango* or welcome dumplings are placed before the tablets on which are inscribed the posthumous names of the ancestors. Every day during their sojourn some new dishes are prepared and offered until finally on the 15th day some hard boiled rice wrapped in fresh lotus leaves is set on the altar. Above all, the first fruits and vegetables of the season are served. After having enjoyed the three days' entertainment at their earthly homes the souls are supposed to return to the lower world. They must be seen off, so the hemp-stalk fire is lit, as at the time of their arrival, before the front door. When the fire has burnt out some powdered incense is

sprinkled over the hot ashes. Sometimes superstitious old women light their tobacco-pipes with this sacred fire and smoke a whiff or two in the belief that they will thus be saved from the attack of pestilence; stranger still they sometimes cross over the ashes, by doing which the sufferers are said to be relieved of any disease about the loins. On the 16th all the decorations are taken away and the offerings made during the season are securely wrapped in the grass-mats and cast into a river.

As I mentioned above it is the universal rule here in Japan for people to pay respect to the gravestones of their ancestors and make floral offerings to them at stated times. More than in any other time of the year do they observe this commendable custom during the *Bon* season. Special religious services are also held in different churches during the season for these poor souls that have no earthly homes to visit, either on account of all their descendants having died out or for some other reason. It is at this time of the year that the hanging screens with pictures representing the horrid scenes in Hell and eternal bliss of Paradise, are shown before the people in some of these temples. The temple of the hideous faced Emma, King of Hades, reaps a rich harvest of contributions from the trembling worshippers during the *Bon* season.



THE POLYGON SHAPED LANTERN.

Reading the foregoing account of the *Bon*, the reader might be led to conclude that people here sober down for the time being, thinking nothing but of prayers and departed souls and the like. Well, that is only one side of the subject, but there is another feature of the *Bon* season strikingly gay and festive. First of all, young men and maidens in rural regions look forward to this season with unspeakable delight for the enjoyment of a masquerade ball on the country green. It is only in the dance performed on this particular occasion that the two sexes participate, if such be properly called dancing as it is devoid of the necessary elements of the terpsichorean art. A company of men and women, numbering say about twenty, form a circle and move and whirl about in anything but a scientific way, singing songs and keeping times by beating fans in their hands, in accompaniment to the confused music played by the orchestra in the centre of the ring. With little or no practice, any awkward person can easily join in the performance which is, in truth, open to all the villagers. The songs sung at the time are

decidedly of a low nature and of unwholesome moral effect. There was a time when the *Bon* dance was prevalent even in cities, but seeing the evils resulting therefrom, the authorities wisely put it under ban. But in the country districts, especially among the peasantry, the *Bon* dance still retains its old-time popularity. Every locality has its peculiar custom, so that the style of the dancing is more or less different according to places.

The 16th of July is really a red letter day, which in by-gone times was universally observed as a national holiday. Even now-a-days, it is a great day for children who are happy in their new summer *kimono* and *geta* which are often special presents from their parents or relatives. The theatres and the shows are always in full blast during the season By the way there is another cause that makes this particular day of this particular month memorable. The hearts of hundreds of thousands of those little boys in the employ of mercantile firms are made happy by the advent of the *Bon* season. Poor fellows, they are virtually in the house of bondage during the term of their apprenticeship, alienated from home comforts and other enjoyments. With no wages except a supply of two or three suits of clothes a year and board and lodging, and with no holiday, they work from day to day without a murmur. You can imagine what sacrifice it means to those little boys, some under ten years of age, to be away from the loving care of their mothers, all for the sake of learning a trade. Twice a year, they are given leave to visit their homes or to spend the day in any way they please, once on January 16th and again on July 16th. They are furnished with some pocket money, say about fifty *sen*, by their masters, and away they start, even before the sun is up, for their homes to enjoy the much-longed-for liberty, even if it lasts only for one day. Their expectant mothers are to have this and that dish prepared which their boys were so fond of when they were yet at their homes. With what tears of joy do they receive their welcome visitors who have grown up so tall since the last time they saw them. But the boys' hearts are probably more for acrobats and conjurors than for their fond mothers. So after a few words of greeting off they start for Asakusa Park to see the monkey-show or dog



THE KING OF HADES.

dance of which they may have been dreaming for the last half a year.

The *Tōro* or lantern is an indispensable decoration in the *Bon* season. It is of various shapes and sizes, that which is most appropriate for the occasion being polygon-shaped with long coloured paper tassels hanging from the corners. But for purely decorative purposes those beautifully painted lanterns from Gifu province stand unrivalled. The appearance of a verandah in the summer evening with one of these delicate lanterns hanging from the eaves, is considered by Japanese extremely refreshing and picturesque. The idea of hanging lanterns in front of the house during the *Bon* festival must have originated from the fanciful notion of affording convenience to ghostly visitors in finding the houses they are to visit.

Among diverse local usages observed in the *Bon* celebration there are many that are full of interest. The *Torō-nagashi* (lit. Floating Lanterns) which prevailed in the days of the Tokugawas must have been a pretty sight. Just imagine hundreds of lighted lanterns made in the form of a water-fowl, floating and tossed by wavelets on a stream, you can have a picture of this pretty custom. The graveyards belonging to different churches that cluster about a mountain at Nagasaki are said to present a strange spectacle as numberless lanterns offered by people to their ancestral tombs are lighted at night during the season. An unique custom observed on the 16th of July in Kyōto also deserves mention. A huge-hole in the shape of a Chinese ideograph 大 is dug on a hill-side. Villagers numbering over four hundreds light torches in the hole, and the letter on the hillside can be read, it is said, from a distance of ten miles.

SUTÉTA TAKASHIMA.

July 10th.

COURTSHIP AND MARRIAGE IN JAPAN.

Married life in Japan is a most interesting subject for foreign readers, because we have many peculiar customs and usages concerning it. The common people, before entering into a contract of marriage, usually are engaged to each other with the consent of parents and the help of mediators, who also serve as witnesses and advisers. Usually the mediators are selected from the near relatives or friends, who work without any compensation. These marriages are a very different kind from what are known as brokerage marriages, which are unlawful. The marriage age is usually 18 if a woman and 21 if a man. Courtship is carried on in many different ways, but is usually by mediation. The duty of the mediators is to investigate and inform one party in regard to the property, reputation, and

character of the other. After this investigation, there is a meeting of the persons intending to marry and there they are introduced to each other. They may promise to marry at this time, but before the final



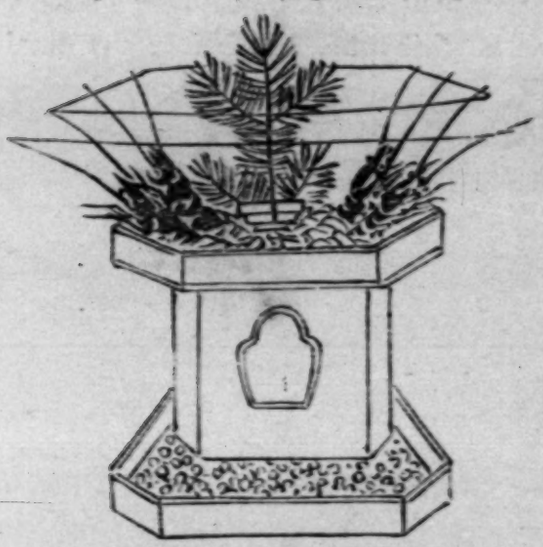
consent is given, each one must investigate the other's character. both are satisfied the marriage ceremony will be performed by the help of the mediators, and the name of the contracting parties must be recorded in the official register. This is considered as a civil contract.

The above is a prevailing custom among the common people, or middle class; but there is one custom which is peculiar to our country. When a child is born the parents sometimes make an engagement between it and a child of some other family. This is usually called a pure engagement. But when children become adults, they may refuse to carry it out. The origin of such an engagement is probably found in the fact that the usage of our country fovours the family rather than the individual life, and therefore an engagement by parents is necessary in order to preserve family reputation and prosperity. The custom



A DECORATION AT THE MARRIAGE CEREMONY.

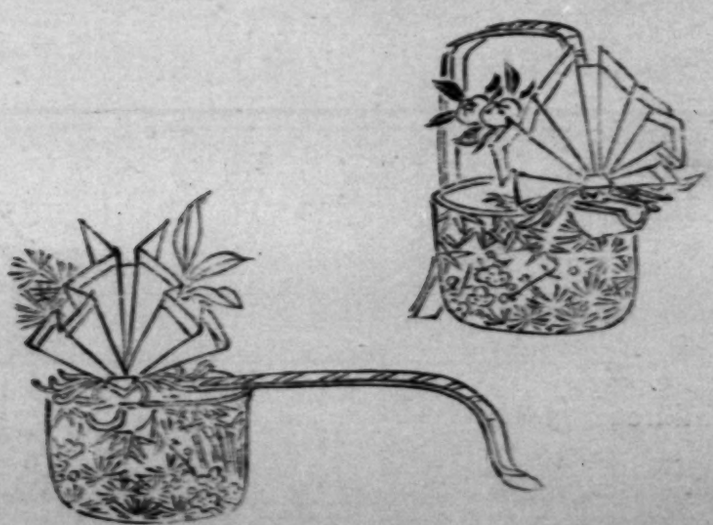
also prevails among the higher classes, but the introduction of modern civilization is changing this. The only defect of this custom is the oppressiveness of the advice or consent of the parent, and although it has a poweful and influential enforcement, it has no legal power.



LOBSTERS USED AT THE CEREMANY.

In comparison with this oppressive way, the manner of courtship——free courtship——which prevails among the western nations is greatly admired by some people in Japan, but it is not compatible with our old custom.

At the present time, the usual form of courtship is to gain the consents of parents or advisers. The employment of mediators is a neceesary one. If they are not employed in a marriage it would be considered an animal-like arrangement by our people. The service of the middle-man is considered very honorable and the

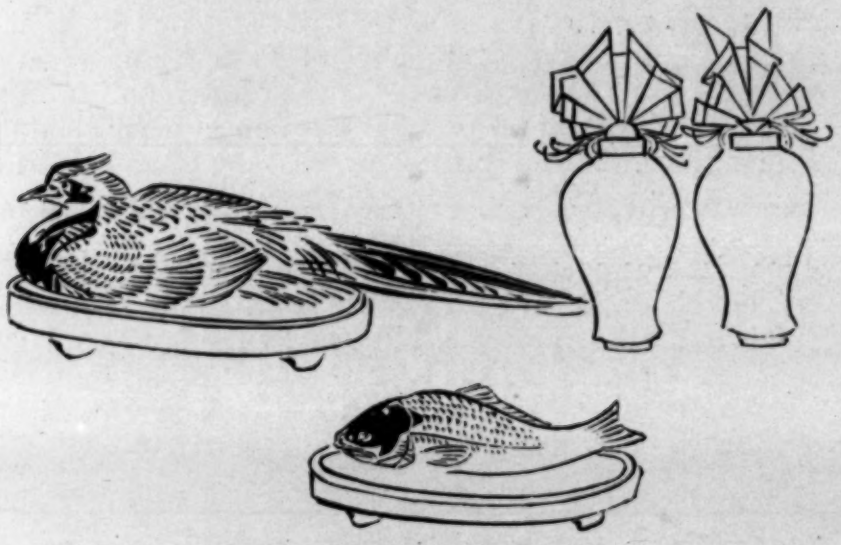


CEREMONIAL WINE PITCHERS.

Japanese term for this is "Musubu no Kami" which means a god of connection of the opposite sexes. Among the common people, in a strict sense, there is positively no courtship between the parties themselves, and on account of such a custom, there are very few bastards or illegitimate children. Another form of courtship is by poetry which prevailed in ancient time among the higher classes. There are two kinds of this poetry, "Shi" and "Uta." The gentleman sends poems to the lady, and she replies in poetry.

An allusion to the moon or flowers often stands for the word "love." The following is a fine conceit attributed to a gay young lady.

"Parted away from thee,
I gaze upon the heavenly vault.
How delightful were it for me,
Could but the moon turn to a mirror."



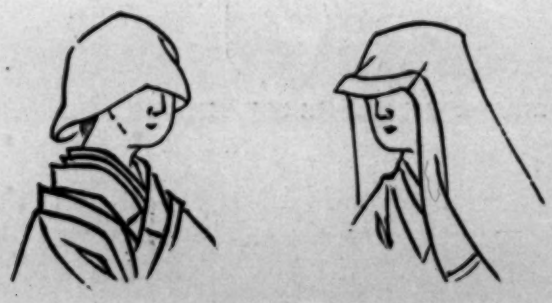
FISH AND SACRED WINE.

Another example may be furnished from "Hauta" known as the love song :

"My desires are like the white snow on Fuji.
(The most celebrated of the high mountains in the three provinces.)



CELEMONIAL WINE CUPS.



BRIDE IN A FULL COSTUME.

Which ever accumulates and never melts.
Well, though I gain or gain not an evil repute,
I shall be proud that such a report spreads abroad.
The opinion is held among men that our love is inexplicable.
What then? I have even come to think of giving myself to him."

Here is a fine love poem :

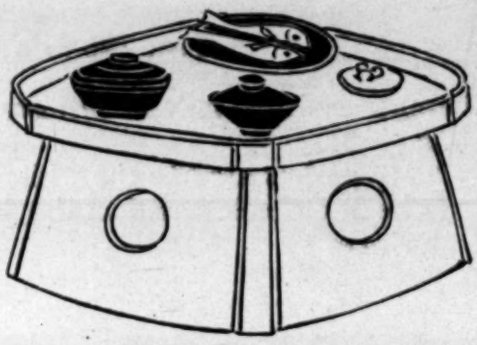
"Though the sparrow can find a resting place on the slender spray of the bamboo,
Alas! I can find no resting place near thee."

Among the lower classes, flirting is practised by the use of the fan or the handkerchief, or by the waving of the right hand, or by the fair charmer's waving her long sleeves. Instead of winking, they convey the same meaning by twitching the left corner of the mouth or rolling the eyeballs to the right or left. Jealousy is expressed by pointing two forefingers from the forehead, in allusion to a horns of a monster. The courtship of the lower class of young men and women is on *Hanami* or picnic day, and on that day one can hear whispering behind the trees or flowers, but no kissing or shaking of hands. If they did such a thing, they would be excluded from society as behaving like animals.

Our marriage ceremony is also distinguished from that of all other nations. The celebration of a marriage is required not by the law, but by society. There are several forms, but usually the first step is "Yuinō" or the exchange of presents at the time of the betrothal, customarily fish, "*obi*," fan, money, etc. The present consists of seven articles, as the



BRIDEGROOM OF THE OLD TIME.



A DINING TABLE.

number seven is considered a fortunate one among all classes. After the exchange of *Yuinō*, a few days are suffered to elapse, and then the marriage ceremony takes place. This is not to be performed in a church, but in the house, as the people think the church or temple is a place for funerals and not for merry-making. The expense of the ceremony varies according to the social standing of parties.

After the ceremony refreshments are served at which time an oath is taken by the betrothed couple before the mediators, such an oath being called "San-san Kudō," which literally translated means three times three is nine. This oath is said to be purified by the drinking of a certain wine called sacred wine. The gentleman takes the first sip, then the lady next, drinking in all nine times. The wedding dress of the lady is white, signifying purity and chastity. After the ceremony

the dress is changed for a black one which signifies that she will always remain true to her husband until her death. In former times, the bride used to shave her eyebrows and to blacken her teeth, but this custom has been geneeally abolished. The honey moon journey was formerly unknown in Japan; but the custom is becoming common among well-to-do people.

By virtue of the marriage the wife takes the name of the husband. The married couple very seldom separate from the parents, but live near or with them. At a certain age the parents generally turn over as a gift their entire property to their son.

MASAO OZAWA.

[Mr. Ozawa studied in America and is now teaching in the Technical School of Waseda]

THE FIRST JAPANESE CITIZEN OF THE UNITED STATES.

It was forty years ago (June 7, 1858), that a young Japanese, about 21 years of age, went before the U.S. District Court in Baltimore, Maryland, applied for and obtained a certificate of naturalization, duly signed by the Judge and the Clerk of that Court. The natural presumption is, therefore, that Joseph Heco, as he is commonly known, was the first Japanese to become a citizen of the United States. I wonder, moreover, if he was not also the first Japanese, at least in modern times, to throw off allegiance to his native land. And yet, although he became a U.S. citizen, he remained no less loyal to the best interests of his native country, and was no small factor in the equation which represents the wonderful progress of New Japan in civilization. His career, as set forth in "The Narrative of a Japanese," is so interesting and withal so instructive that I beg the use of a little space to present a few salient points.

The first acquaintance of this young Japanese with America was purely accidental. In the fall of 1850, the junk, on which he and several companions were trying to return from Yedo to Hyōgo, was driven out to sea by a fierce storm, and, after drifting about helplessly for 50 days, was sighted by a foreign vessel, and all on board of the junk were rescued. This vessel happened to be an American bark, bound for San Francisco, which was reached in due season.

The first impression made upon the party of Japanese by the officers and crew of the vessel, by the strange manners and customs, by the queer food and dress, are very interestingly portrayed in Mr. Heco's book mentioned above. They could not understand, for instance, how *Dai Nippon* could be so *small* a spot on the chart; they were afraid that they would be eaten by these strangers, especially when one day

they saw the cook kill a pig to eat; they slyly threw away bread and butter, on account of the "strange, unpleasant odor;" they liked the soup, but were shocked when they found that it contained bits of "cattle-meat," and had to purify themselves and pray for pardon for eating flesh; they finally, however, concluded to eat meat, on the ground that "when one comes to Go*, he must do what Go does;" some of them thought, that, when the mate entered in the log-book the observations made by himself and the Captain, he was writing down the number of waves he had noticed; and they were horrified when their *magé* were cut off.

When they reached San Francisco they were, of course, a great curiosity and were even put on exhibition in a theatre. They were also curious themselves, and astounded at the wonderful things which they saw. Poor little Heco was particularly horrified on the very first day, when he happened to see a negro wearing a blue and red shirt, dark blue pants, a red comforter and a felt hat; and the Japanese boy not unnaturally thought that this hideous object was a devil (*oni*), and that hell must be near at hand!

After the Japanese had been kept about a year in San Francisco at the Government's expense, they were sent out to Hongkong, viâ Honolulu, to join the Perry expedition to Japan. When they were dressed up in the American sailor suit with brass buttons, they felt very proud and deemed themselves *yakunin* of the U. S. Government!

At Hongkong, Heco got tired of waiting for the Perry expedition, and went back to America. Here he found work, first as a house-servant in San Diago, and then as office-boy to Mr. B. C. Sanders, Collector of the Port of San Francisco. Here he had the honor of meeting the famous Senator Gwin, of California; and a little later he was taken east by Mr. Sanders to be put into school. It was on this trip that he had his first knowledge and experience of steam railway service and the electric telegraph. He also had the honor of a presentation to the "Chief of the Nation" [President Franklin Pierce], whose "palace," office and dress were so plain as to astonish him. He could not understand why the Supreme Governor of the Nation had less pomp and grandeur than a petty provincial or even smallest district official in Japan! He had no grand gate-way, guarded by soldiers, no retainers or even attendants about his person, no police, no silk curtains or cushions; and he was easily accessible without much ceremony!

After young Heco had received some education in Baltimore and San Francisco, he entered into business life in the latter place. In the meantime he had received sprinkling at the hands of a Catholic priest, and had adopted the Christian name of Joseph.

In 1857 he was persuaded by Senator Gwin to leave his place in

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* A village or district.

San Francisco and go to Washington to get employment in the State Department. On this visit he met Gen. Cass, Secretary of State, and President Buchanan, but was unable to secure any official position. Finally, however, he was appointed Captain's clerk of the Brooke expedition to explore the coasts of China and Japan. And it was on this occasion that as a possibly necessary measure of safe-guard, he became an American citizen.

Heco came back to his native land viâ Honolulu and China. In the latter country he met Mr. [afterwards Sir] Rutherford Alcock, who had been appointed British Consul General to Japan, and offered him a post as interpreter. But Heco declined, as he wished to offer his services to his own government. And it so happened that Townsend Harris, who had just been appointed U.S. Minister to Japan, and Mr. E. M. Dow, who was to be U. S Consul at Kanagawa, when that port should be opened for trade, were in Shanghai, where Heco met them and was appointed to the Consulate in Kanagawa. Thus the Japanese lad who had been picked up at sea in 1850, returned to Japan nine years later as an official of the U. S. Government.

It is unnecessary to follow up Heco's subsequent career in detail; but it is quite interesting to note that he had the honor of participating in a great many "firsts" of New Japan. On July 4, 1859, the U.S. flag was run up over the Consulate in Kanagawa,—"the first time in the annals of the place for a foreign flag to be unfurled." He was a guest at "the first dinner ever given to foreigners at the Governor's residence" in Kanagawa. He helped start for San Francisco the first embassy despatched by the Tokugawa Government to a Western country. He claims to have published "the first newspaper ever printed and published in the Japanese language"—the *Kaigai Shimbun*, a summary of foreign news, giving the local prices current for imports and exports. But strange to say, "although the native public were anxious to read the paper, they were afraid, ..., on account of the Government and the law at that time, to subscribe for it or to buy it," so that he had only two subscribers and had to give away almost all of the issues! He was also the intermediate in arranging a contract between Matsubayashi, agent of the Prince of Hizen, and Glover and Co., of Nagasaki, for the purpose of working the Takashima colliery, —"the first instance in Japan of a partnership between a native and a foreigner."

But, without trying to mention all the "beginnings" in which he had a share in the course of the development of modern Japan, especially when he was in the service of the Japanese Government in the Department of Finance, etc., we may notice that he was a trusted friend of such men as Itō, Inouyé and other prominent officials, and that he was especially active in promoting the trade and commerce of Japan.

In two ways his American citizenship was inconvenient to him.

When he went into business for himself once in the "native town" of Yokohama, he had to register the undertaking in the name of one of his relatives; and, when he wished to hired in the country outside of a foreign concession, he had to be formally lived by a subject. And again, because he was on board of the U.S. "Wyoming" when she bombarded Shimonoseki in 1863, he was marked for death by Chōshū men, who to one gory head attached this notice: "this is the head of one of the pilots who went on the American ship-of-war to Shimonoseki on the 13th July and fought against his own countrymen on the 16th of the same month. There are five more men at large who are to be served in the same fashion." Not many years later he met at the English club in YokohamaVice-Governor S——, who said to him: "How strange it is to sit down at dinner in a Foreign Club with a man I actually lay in wait for at Kanagawa for several weeks in 1863, to cut down for having adopted the custom of the foreign barbarians!"

In 1861 Mr. Heco made another trip to America to get an appointment as U.S. naval store-keeper at Kanagawa and had an interesting experience in Alexandria, D.C., in February, 1862. He was actually arrested by the Provost-Marshal on the suspicion that he was a Confederate General B—, who had been reported to be reconnoitring preparatory to an attack on the Capital! But he was fortunately saved, from even a night of imprisonment, by some friends, who gave bonds of $25,000 for him. Afterwards the officer apologized for his error.

It was on this occasion that he had the honor of meeting Secretary Weller, of the Navy Department, Secretary Seward, of the State Department, Senator Charles Summer, Secretary Chase, of the Treasury Department and President Lincoln. And, when later in Japan he heard of the assassination of Lincoln and the attack on Seward, and wrote to the latter tendering sincere condolence to him and to President Lincoln's family, he received from Secretary Seward the following autograph letter, in which, however, two words are illegible:—

"I have just received your letter of the 31st of July and I thank you for remembering me among the troubled —— — in the midst of the —— of your far away native home. Our Father in Heaven has allowed our country to be afflicted, but he has nevertheless remembered mercy and our nation is rescued from danger. He has been pleased to visit me with trials, but He has graciously enabled me to pass through them. Let us in all things submit ourselves to His will. He is omniscient and ominipotent, we are blind and powerless."

In the course of his "Narrative of a Japanese," Mr. Heco quotes from his diary, under date of April 19, 1890, as follows:—"In the train I had a talk with Mr. Nakajima Nobuyuki, ex-Governor of Kanagawa Ken and the first President of the National Assembly. He told me a strange thing—that he had just been talking with Count Itō at Odawara, who had told him that the petition for the abolition of the

Han had been preferred by Himeji-Han (my own native country) in the first year of Meiji, while the Mikado's forces were still fighting with the remnants of the Tokugawa party at Aidzu."

Many other interesting anecdotes of the varied career of Mr. Joseph Heco might be related; but these will suffice to set forth the usefulness of his life which came to an end only a short time ago. It must have been a great pleasure and satisfaction to him to have lived to see his native land make such wonderful progress along the lines of the civilization of his adopted country. He was truly a Japanese American as well as an American Japanese.

ERNEST W. CLEMENT.

REVIEWS.

We have to acknowledge the receipt of the two volumes of Dr. Löhnholm's translation* (into English) of the new Japanese Civil and Commercial Codes. The Civil Code, which has been put in operation from the 16th inst., being largely modeled on the German, the necessity of a knowledge of German law in explaining and translating it is beyond question. Dr. Löhnholm is a professor of German law in the Tōkyō Imperial University and, therefore, the right man to undertake the work which he has accomplished just at the right time. Dr. Löhnholm was the first to translate the Japanese Civil Code into a European language, his German translation of the first three Books of the Code being published nearly three years ago. In the present translation into English, the assistance of Prof. H. T. Terry of the Tōkyō Imperial Univevsity was enlisted in order to put it into a correct English shape.

* Max Nossler, Breman; Maruya, Tōkyō; and Kelly and Walsh, Limited.

The new Commercial Code having failed to be passed by the Diet because of the dissolution of the Lower House in the last session, the unrevised one was put into operation on the 1st inst. But since the new one is to be substituted for it at the earliest opportunity, the appearance of its translation together with that of the Civil Code will doubtlessly be welcomed on all hands.

In the *Taiyo* (the Sun), appears an article which reveals the views of Dr. Katō, ex-president of the Tōkyō Imperial University, on Confucianism, Buddihism and Christianity. Confucianism is realistic, while Buddihism and Christianity are idealistic. They are, therefore, widely different from each other. But their ends are one and the same in so far as they seek to lead men to a love of humanity and righteousness. From this standpoint, they are all good. But practically the doctrine which is most suitable to lead us is the best religion. Which religion, then, is the best? Dr. Katō thinks that certainly it is Confucianism. Why? Confucius esteemed the present and never cared for the past and the future. He paid his attention chiefly to the real world and not to the spiritual world. According to him our first duty is to work for society and so not to trouble our minds about the spiritual world. To preserve the peace and to advance the happiness of society is our essential duty. On the contrary, Dr. Kato argues, Buddhism and Christianity almost despise society and disdain the body, and teach us to pay attention only to the spiritual world. It is said that Buddihism is pessimistic and Christianity optimistic, but in Dr. Kato's opinion all the religions which despise society and disdain the body and teach us to long after the spiritual world may be called pessimistic. He can not help thinking that Confucianism is better than Buddihism or Christianity.

NEWS AND NOTES.

(Our Survey Extends to July 15th.)

AN EPOCH-MAKING CHANGE.

It is of an exceptionally eventful time that we have now to make a record. Marquis Itō has resigned his office and Count Ōkuma has formed a new Ministry. How pregnant of significance is this simple fact that has been accomplished quite smoothly within the short space of less than a week! Many a Cabinet change has occurred in Japan since the inauguration of the constitutional system, yet the one which has just taken place is entirely different from the preceding ones in character, and is to be compared with none of them in importance, for therein is involved not only the question of the *personnel*, but also that of a fundamental political principle. Hitherto the so called elder statemen have alternately held the reins of government by dint of their past service, all the Cabinet changes simply amounting to a transference of power among the limited circle of men who distinguished themselves in destroying the military regency of the Tokugawa family and in establishing the present Imperial régime. It is now for the first time that the so called popular leaders as such have found themselves in a position to direct the affairs of the State. An epoch-making change has taken place. The problem which has been pending since the opening of the Diet has been solved at last in a manner demanded by men calling themselves the representatives of the people.

FORMATION OF THE CONSTITUTIONAL PARTY.

How the conflict between transcendental Cabinets and an intractable Opposition has resulted in Parliamentary deadlocks, how the attempted alliance of the elder statemen with political parties has proved a failure, and how the fiasco of the increased taxation bill has convinced the more intelligent of the elder statesmen of the impracticability of transcendentalism, on the one hand, and has

induced the parties in Opposition to rally together, on the other,—all this was described and explained at length in our last issue. Since then the amalgamation of parties has been duly effected, the inauguration of the Constitutional Party, which is the name adopted by the resulting political body, being celebrated by a grand meeting in the Shintomi Theatre, Tōkyō, on the 22nd ult.

The great bulk of the new party consists of ex-Progressives and ex-Liberals, while other small factions and a number of independent politicians add to its strength. Count Ōkuma who, strange to say, had not hitherto formally belonged to the Progressive Party of which he was the virtual leader, now had his name recorded as a member of the Constitutional Party. Count Itagaki, the Liberal leader, did the same as a matter of course.

THE MANIFESTO OF THE NEW PARTY.

At the inauguration meeting of the Constitutional Party, the platform, reported in the preceding number of THE FAR EAST, was adopted, to which the following Manifesto was prefixed:

"Nearly ten years have elapsed since the promulgation of the Constitution and the opening of the Diet, and during that time there have been five dissolutions of the House of Representatives. The reality of constitutional government has not been attained, neither has the influence of political parties been extended. Thus the abuses of clan Cabinets are confirmed, with the result that harmony between the Government and the people is impaired and the business of State is impeded to the profound regret of all patriotic persons. Considering the state of affairs at home and abroad, we have determined to dissolve our two parties, the Liberals and Progressives, to the end that by meeting all those that entertain similar views, we may form one great party, and make a new effort to carry the principle of constitutional government into perfect practice."

As the reader will remember, the platform adopted by the Constitutional Party is so vague and indefinite that it can hardly pass for such. Evidently the Manifesto is of much greater importance than the

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* We are indebted to the *Japan Mail* for the translation.

platform, for the former clearly sets forth the aim for which the politicians united themselves into a party. They are determined that transcendental Cabinets, or clan Cabinents as they prefer to call them, should be done away with, and that a Government on a national basis should be established in their place. It is on this point that the diverse elements of the new party concur. As to the line of policy to be pursued in conducting the business of State, most divergent views are entertained by the members; hence the vague and astract character of the platform. Dr. Hatomaya, the spokesman at the inauguration meeting, struck the key note of the party when he naïvely declared that the prime object of the union was to oust the clan statesmen and to take their place.

RESIGNATION OF MARQUIS ITŌ.

But perhaps it was beyond the expectation of Dr. Hatoyama himself that Marquis Itō and his colleagues could be so easlly ousted. Having perceived the impossibility of a transcendental Cabinet, Marquis Itō obviously intended to form a party under his leadership with a view to securing a Parliamentary majority in order to facilitate the transaction of State business. For a time, the project seemed to have a fair prospect. But a political party could not be organized in a day. Besides, the more conservative of the elder statesmen viewed the new departure contemplated by the Marquis with utmost disfavour, and went even so far as to accuse him of disloyality to the Throne. Considering the inseparable tie which has bound Marquis Itō to his co-workers for thirty years, we may well imagine the difficulty encountered by him at this juncture. The task of puttng an end to transcendental Cabinets and of establishing the Government on a popular basis was not to be easily accomplished by one who was hampered by his past career. So Marquis Itō has wisely determined to prepare the way for men who have been avowedly working for the consummation of the desired end. In the 24th ult., therefore, he tendered his resignation to the Emperor, and recommended to His Majesty Counts Ōkuma and Itagaki as his successors. In fact, Marquis Itō was not ousted. Not that he was utterly devoid of means and resources to hold his own against the

Constitutional Party; but, concurring in the view that the Government must be made to stand on a popular basis, he seems to have sacrificed himself out of the desire to avoid useless friction. Hence Marquis Itō and the Constitutional Party are not to be regarded in the light of opponents. Indeed the Marquis has done a great deal to facilitate the formation of the new Ministry and this fact is gratefully recognized both by Count Ōkuma and by Count Itagaki. Marquis Itō is aptly compared to Count Katsu, the last statesman of the Shōgunate., who at the time of the Restoration peacefully surrendered the Yedo castle to the Imperial army and helped the new master to establish order in the country.

THE NEW CABINET.

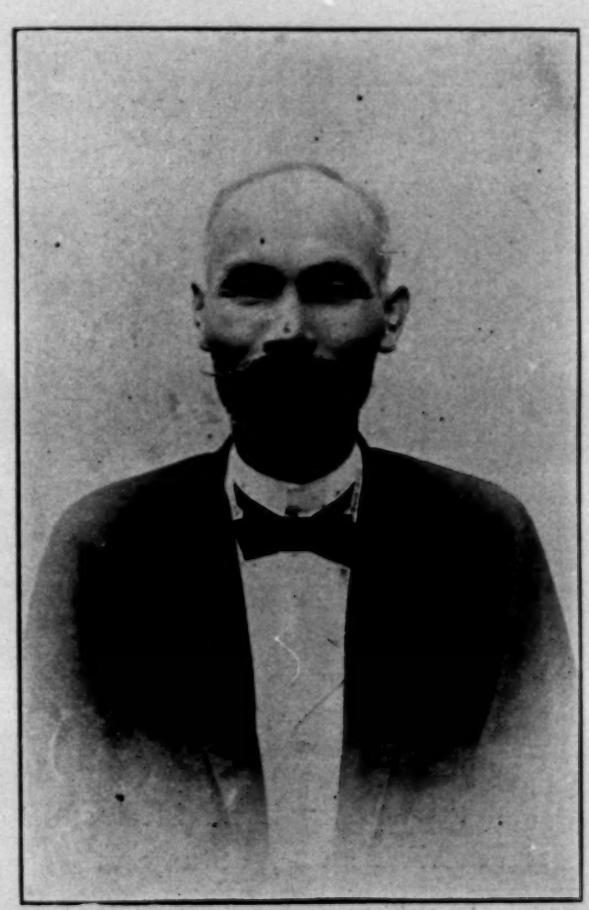
Under the circumstances, the formation of the new Cabinet was comparatively easy. On the 27th ult., Count Ōkuma and Count Itagaki,



Mr. Osaki, Minister of Education.

as leaders of the Constitutional Party, were graciously entrusted with the task by His Majesty. On the 30th the following Mintsters were appointed.

Count Ōkuma.....Minister President and Minister for Foreign Affairs.
Count Itagaki.....Minister for Home Affairs.
Mr. M. Ōishi.....Minister of Agriculture and Commerce.
Mr. M. Matsuda..... Minister of Finance.
Mr. Y. Hayashi.....Minister of Communications.
Mr. Y. Osaki .....Minister of Education.
Mr. G. Ōhigashi.....Minister of Justice.



Mr. Matsuda, Minister of Finance.

Messrs. Matsuda and Hayashi are from the former Liberal, and Messrs. Osaki and Ōhigashi from the former Progressive, Party. Mr. Ōishi has been in intimate relations with Count Ōkuma, though not formally in the ranks of the Progressives. Marquis Saigō and Viscount Katsura retain the portfolios of the Army and the Navy respectively by the special will of the Emperor.

CHANGES IN THE OFFICIAL CIRCLE.

So many changes in the official circle have followed the formation of the new Ministry that fears are entertained lest the detestable "spoils system" may be introduced with the system of government by party. Indeed, most of the official positions of the *Chokunin* rank have been, or seem about to be, occupied by the members of the Constitutional Party. It would be wearisome to give the list of those officials. The following are the most prominent ones.

Mr. Taketomi	Chief Secretary of the Cabinet.
Mr. M. Suzuki	Vice-Minister for Home Affairs.
Mr. J. Soyeda	Vice-Minister of Finance.
Mr. M. Kashiwada	Vice-Minister of Education.
Mr. K. Minoura	Vice-Minister of Communications.
Mr. K. Yamada	Vice-Minister of Justice.
Mr. S. Shiba	Vice-Minister of Agriculture and Commerce.

Mr. Soyeda of the Finance Department is the only permanent official who has been promoted to be a Vice-Minister by the Constitutionalist Cabinet; but his promotion was conditional on his being enlisted as a member of the party. Mr. Komura of the Foreign Department still remains in the chair of the vice-Minister.

THE FUTURE PROSPECT.

The government by party has been inaugurated at last. We do not venture to say that this system is an ideal and perfect one, but it is a necessary and inevitable one, at any rate under the present circumstances. There is no other course open for securing harmany betweeen the Government and the people, and for smoothly conducting the affairs of State. The nation may congratulate itself, therefore, upon the solution of the long standing problem of political principle. Henceforward a Cabinet will rise or fall according as it is or is not supported by the majority in the Diet. The principle of Ministerial responsibility being thus settled, the next question which presents itself is that of policy. The Constitutional Party has accomplished

the object for which it was called into existence, namely the destruction of transcendetal Cabinets and the establishment of government by party. But here ends the similarity of opinion prevailing among its component elements. The vague and abstract platform has served admirably well for destructive purposes. But when the responsible Ministers begin to consider a definite line of policy to pursue, divergent views of the various elements of the party may at once become apparent. Another stage of development, therefore, must be necessarily passed through, before the smooth working of the constitutional system can be guaranteed in Japan.

OBITUARY.

In the death of Baron Kohei Kanda, we have lost another pioneer of Western learning and enlightenmeut in Japan. Hewas one of the early Dutch scholars who played so prominent a bart in leading the nation in the path of progress. He served in the Government after the Restoration and did a great deal to propagate the knowledge of Western countries by his works and translations.

The death of Mr. Tennant, editor of the *Japan Gazette*, is profoundly regretted by his Japanese friends who, we presume, were not many in number, but appreciated his straightforward anp charming character. As to the able manner in which he conducted the Yokohama journal it is superfluous to pay a tribute on our part.

DIARY.

JUNE.

17. Reuter's report of the Hawaiian Annxation Bill being adopted by the House of Representatives.

20. Reoganization of the Formosan Government.
Reuter's report of a negotiation between Great Britain and China relative to the re-organization of the Army and Navy.

21. Dissolution of the Liberal and Progressive Party.
Promulgation of the Civil Code.

22. Inauguration of the Constitutional Party.

24. Tender of Marquis Itō's resignation.
Report (from Peking) of the appointment of Wang-wen-Shao to be the Minister of Tsungli-Yamen.

25. Promulgation of the treaty with Siam.
Resignation of all the Cabinet Ministers.

27. Counts Okuma and Itagaki ordered by the Emperor to from a new Cabinet.

30. Formation of the new Cabinet with Count Ōkuma as Premier.

JULY.

4. Report from Shanghai that the American flag has been hoisted over the Carolines and the Ladrones.

5. Death of Baron Kōhei Kanda.

8. Visit to Tōkyō of Prince Cyril of Russia.
The date of the General Election fixed at August 10th.
Reuter's report that the Hawaiian Annexation Bill bas been passed by U. S. Senate.

9. Reuter's report that the annexation of Hawaii has been sanctioned by the President.
Report of the discovery of a plot to dethrone tho Korean King.

11. Report from Peking of the conclusion of the negotiation relative to the redress of the Shashi affair.

13. Appointment of the Conmmittee for investigating into administrative affairs.

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MANAGING DIRECTOR:—K. IKEDA, Esq.

STATEMEMT OF LIABILITIES AND ASSETS ON JUNE 30TH, 1898.

LIABILITIES.

	Yen.
Capital	400,000.000
Reserve Fund	751,220.907
Redemption of Bank Notes	70,824.689
Circulation	89,176.000
Deposit	5,826,376.685
Due to Correspondents	747,383.739
Balance brought forward from the Previous Half year	26,321.898
Profits of this is Half Year	94,245.121
	8,005,549.039

ASSETS.

	Yen.
Cash on Hand and with the Bank of Japan.	1,698,844.296
Government Bonds	266,079.925
Loans and Overdrafts	2,937,700.327
Bills discounted	2,256,832.990
Documentary Drafts	71,400.390
Bank Note Accounts	111,221.596
Credit to Corrrspondents	592,835.997
Land, House and Furniture of the Head Office and Branches	70,633.518
	8,005,549.039

STATEMENT ON PROFITS.

	Yen.		
Balance brought forward from the Previous Half Year			26,321.898
Profits of this Half Year			94,245.121
	Yen.		120,567.019
Bank Tax	560.000		
Fund for Bank-Note Redemption.	2,000.000		
Properties and Furniture.	10,300.000		
Bonus to the Directors and the Assistants.	9,420,000		
			22,280.000
Leaving a Balance of			98,287.019
Reserve	50,000.000		
Dividend (17% per An.)	34,000.000		
			84,000.000
Balance of Undivided Profits			14,287.019

THE SUMMARY OF THE BUSINESS TRANSACTED FOR THE HALF-YEAR,

Ending 30th June, 1898.

	Yen		
Total Sum Cashed	523,599,270.315	Drafts Drawn	15,170,334.570
Deposits, Current, Fixed, and Sundry	110,299,492.335	Documentary Drafts Negotiated	2,107,287.990
Loans and Overdrafts	21,040,784.419	Bills discounted	11,388,347.240
		Letters of Credit Issued	889,770.230

The Bank has Correspondents and Agents in the chief commercial centres, Home and Abroad, and thus offers great facilities to the public for transacting Banking business.

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MANAGER:—HONJIO SUGAHIKO, ESQ.

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極東

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デンナント氏

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o. 179.

File

DIPLOMATIC,
AUG 26 1898
BUREAU.

INDEX BUREAU
REC'D.
26 AUG 1898
DEPT. OF STATE

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 28, 1898.

Mr. Buck

to the Secretary of State.

Subject:

Confirming Mr. Buck's telegram of date July 27th 1898 in re rumored sailing of German warship for Caroline Islands.

No. 179.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 28, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to confirm my telegram sent to you yesterday, as follows:- "Day, Washington. July 27. The United "States Consul at Nagasaki has informed me that the Arcona of "the German Navy with some months supplies cleared for Caroline "Islands from that port yesterday. Buck."

The information embodied in the above was communicated to me by Mr. Harris in an unofficial letter received yesterday. In the newspapers the Arcona is stated to have sailed for Kiaochow.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

ed in
ance Sheets
Sep. 20



COPIED FOREIGN RELATIONS

No. 180.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 28, 1898.

Mr. Buck,

to the Secretary of State.

Subject :

The operation of the revised treaties of Japan.

No. 180.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 28, 1898.

To the Honorable William R. Day,

Secretary Of State,

Washington, D.C.-

Sir:

I have the honor to state that I have information from the Foreign Office that on the 16th instant the Minister for Foreign Affairs telegraphed to the Japanese Ministers to each of the treaty powers , except to the Minister to the United States and a few other countries, to inform the respective Governments to which they are accredited that on that date Japan had put in force the revised Civil Code and the Commercial Code; and that on July 17, 1899, one year from that date, all the revised treaties would be in force,- which notice by stipulations in the treaties with those countries was required to be given by Japan one year in advance of their going into operation.

Notice of the operation of the Codes, as well as the notice of the new treaties' going into effect one year from the 16th instant, became necessary because in the treaty with Great Britain it is stipulated that the Codes shall be in operation twelve months prior to her treaty with Japan's going into effect.

The United States and some other Powers having no stipulations in their treaties with Japan that one year's notice shall

shall be given in advance of their going into effect, for that reason, I am informed, no notice was given by the Japanese Government to them.

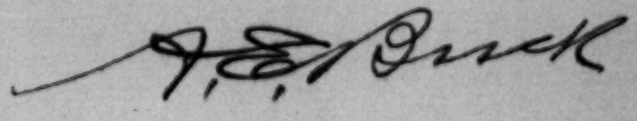
Though the new treaty of Japan with Austria has not yet been ratified , because of the disturbed condition of the Austrian Government, yet as that treaty requires only one month's time after ratification to become operative, and the Austrian Government has assented to the fixing of the time for the operation of the new treaties to begin, with the assurance to the Japanese Government that not later than January 1st, 1899, ratification of the treaty by that Government will be made, Japan felt justified in making the announcement so as to insure the operation of all the revised treaties from July 17, 1899.

I am further informed that the present treaty with Austria is regarded as of little value to Japan; that it is proable that in event, perchance, Austria should fail to ratify the new treaty in time, Japan would denounce her old treaty with her rather than fail to secure the benefits she would derive from the operation of her revised treaties with the other Powers at the time fixed upon for their operation.

I have the honor to be,

Sir,

Your obedient servant,



DIPLOMATIC,
AUG 18 1898
BUREAU.

No. 181.

INDEX BUREAU
RECD.
18 AUG 1898
DEPT. OF STATE.

Aug 2 98

RECEIVED
AUG
18
1898
DIV. OF ACCOUNTS. DEP. OF STATE.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 29, 1898.

Aug 18. 98
Ordered Send
Aug 1/98 to June 30-99.
Hwd.

Mr. Buck

to the Secretary of State.

Subject:

Requesting renewal of subscription for New York Tribune and San Francisco Chronicle.

No. 181.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, July 29, 1898.

to the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

I have the honor to request that the subscriptions to the New York daily Tribune and the San Francisco daily Chronicle, which were sent to this Legation during the last fiscal year, be renewed so as to continue during the present fiscal year.

This request should have been made earlier, but was overlooked.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Filed under Wesley to Japan

Lake Placid
Essex County, N.Y.
File under Aug. 4, 1898.



Honorable William R. Day.
Secretary of State.
Washington.

Sir:-

I have the honor to request that my leave of absence, which will expire on August 14th, may be extended for thirty days, it being understood that I receive no compensation for the extra time allowed.

I

In explanation of my
desire to obtain an extended
leave, I beg to state
that this is the first
summer I have passed
in the United States
since 1892.

I have the honor to be,
Sir,
Your obedient servant,
Joseph R. Brooks
Secretary of Legation
to Guyana.

DIPLOMATIC,
SEP 16 1898
BUREAU.

Secretary of State.
SEP 14 1898

U.S. SEP 1898
DEPT. OF STATE

20 ASSISTANT SECRETARY,
Ack by subject & file.
SEP 16 1898

o. 182

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 13, 1898.

Ack'd Sept 17.

r. Buck,

to the Secretary of State.

Subject:

Japanese public sentiment regarding the future of the Philippines, illustrated from the public press.

No. 182

LEGATION OF THE UNITED STATES,

Tokyo , Japan, August 13, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my despatch of date July 6th last in respect to the attitude of the Government and people of Japan towards the United States and their general desire that our country should hold the Philippine Islands rather than that any power other than Japan should possess them , I have the honor to state that the feeling now, as expressed in the public press, as also in other ways, seems to be quite universal in Japan that the United States should take, possess and govern the Islands in the interest of peace and commerce and to insure good government, with the moral support at least, if not the active co-operation of Japan and Great Britain. Any desire that the Japanese may have had for the possession of the Islands seems to have been now almost , if not wholly, lost.

As fairly illustrating the public sentiment of Japan at this time, in this regard, I enclose cuttings from sundry Japanese newspapers, and also from newspapers published by foreigners in Japan, all of which express like sentiments. I know of no publication in Japan, either in the Japanese or the English language, nor of any Japanese individual of influence in the country taking an opposite view. That Japan desires and expects the United States to hold the Philippine

Islands

Islands and to establish good government there is more and more evident from day to day and I believe that it would be very disappointing to this country should the result be otherwise .

The enclosures are editorial clippings from

The Japan Mail of August 3 and 8,

" Japan Gazette of August 9,

" Japan Herald of August 6 .

These are the three leading daily newspapers of Japan, published at Yokohama in the English language , by foreigners.

The Japan Times of August 7 and 10.

The cutting from this paper of the 7th includes a translation of an editorial from the Nippon, which is a strong and very conservative Japanese paper.-

The Yorodzu Choho of August 11,-

a Japanese daily published in Tokyo, one column of which is printed in English, and widely read by the common people.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Enclosures:

Clippings from newspapers as noted above.

Enclosure No. 1 in Mr. Buck's No. 182

THE AMERICAN TERMS OF PEACE.

The telegraph insists in asking us to believe that the United States Government proposes to limit its acquisitions in the Far-Eastern Pacific to "one of the Ladrone Islands." It is very difficult to credit such a statement. "One of the Ladrones" can only mean Guahan, or Guam. The group consists of fifteen islands; a northern section of ten, all of which are uninhabited; and one, Guahan, the largest and southernmost, has the sole town in the colony, namely, San Ignacio de Azalia, with its fortified harbour of Umata. What possible use could the United States have for Guahm? It lies away out in the Pacific, nine hundred miles eastward of the Philippines and four hundred miles south of the Bonin Islands. The climate, indeed, is not bad, the mean yearly temperature being about 81° F., and the variations of temperature not very great; but the total population is only some 8,000, and the total area of the 15 islands is only 417 square miles. We can scarcely suppose that the United States Government thinks of establishing a naval base in such a remote quarter of the world at such an immense distance from any sphere of American interests. In fact, the project appears to us to be one of the most unaccountable ever formulated. America does not want a naval station in the Pacific three thousand miles eastward of Hawaii. If this war is to end by placing her in possession of two insignificant groups of islands, one two thousand miles and the other five thousand miles away from her shores, and both in the tropics, she will certainly come out of the struggle a great deal weaker than she went into it. As mere territorial acquisitions, Hawaii and the Ladrones are practically worthless. America's reason for annexing Hawaii was understood to be the necessity of having a half-way house to the Philippines. Hence, if the Philippines are not to come into her possession, Hawaii assumes the character of a white elephant. The programme suggests a strange shrinking from the consequences of her own acts, and even from her just responsibilities. For she can not leave the Philippines to their fate. She has effectually broken the power of Spain there, and rendered the islands uninhabitable for Spaniards or any other Occidentals unless means of preserving law and order are organized under Western control. It is not to be supposed that any of the foreigners now settled in the islands will remain there contentedly, or can hope to remain there in security, if a republic is established under Aguinaldo, or if the Spaniards, in their greatly weakened condition, have to renew a struggle which plainly overtaxed their strength even before this war with America. The stepping aside of America would assuredly mean the stepping in of some other Power, perhaps of two or three other Powers, and that is a contingency for which America will not secure the thanks of the world. But the crowning curiosity of the whole affair is contained in the idea, "one of the Ladrones." One out of 15 tiny islets having an aggregate area of 417 square miles! What is to become of the remaining fourteen? Spain certainly does not want them. Even with Guahan in her possession she has never drawn any revenue from the Ladrones, and would have been glad to dispose of them to any Power at any time during the past twenty years. Japan might be able to make something of them, but it would not be much, and at any rate, that is another question. We trust that the conditions of peace telegraphed by Reuter may prove to be incorrect.

Japan Mail, August 7, 1898

Enclosure No. 2
a. Mr. Rusk's No. 682

The Japan Daily Mail.

YOKOHAMA. MONDAY, AUGUST 8, 1898.

AMERICA, JAPAN AND ENGLAND.

There is evidently a strong impression in Japan that the Tokyo Government has taken a decided line about the Philippines, and that this country and Great Britain will be drawn closely together by the event. Japan would be more than human if she failed to welcome this opportunity of paying off some of the Liaotung score. Russia, France and Germany combined to deprive her of the fruits of her victory in Manchuria, and there are strong indications that the same league of Powers will interfere to prevent America from dealing freely with the territory she has conquered in the Philippines. The Japanese are persuaded—we derive our idea of their views from the editorial utterances of the *Jiji Shimpo*, the *Kokumin Shimbun*, the *Yomiuri Shimbun*, the *Hochi Shimbun*, the *Asahi Shimbun* and the *Nippon*—that the peace of the East will not be promoted, or the balance of power preserved, either if the Philippines are left in Spain's hands, or if they are handed over to Aguinaldo and his followers, or if any European Power except England is allowed to have a controlling voice in their disposal. There is no special wish that the islands should pass into British possession. That alternative would be unhesitatingly preferred, however, to the occupation of the whole or any part of them by Germany, France or Russia. It is not that any sentiment of hostility is entertained towards the last three Powers, apart from the not unnatural desire to "get even with them" in return for Liaotung. It is that all three are credited with designs of territorial aggrandisement, the prosecution of which is not consistent with the peace of the East. What the Japanese seem to desire before everything is that America should annex the Philippines. They regard the presence of the United States in the Far East as a guarantee of peaceful commercial development and a bulwark against arbitrary aggression. They think, too, that a certain responsibility devolves on America. She drew the sword in the cause of right and she must not sheathe it in such a manner as to promote disorder. It is true that she entered the lists as the champion of an oppressed people. But it is also true that she commenced the War, and the duty devolves upon her of bringing it to a conclusion which shall not involve the danger of other wars. Japan does not want the Philippines for herself, but she is determined that they shall not pass into the possession, or lie at the mercy, of Russia, Germany or France. Great Britain's policy is identical with Japan's in this respect. It is essential, however, to guard against another surprise. The Liaotung lesson must not be forgotten. Before any triple alliance can step into the field in connexion with the Philippines, an alliance to oppose it must be concerted and ready. Evidently the leading vernacular Journals think that these facts are recognised, and have become the basis of active procedure, by the Foreign Office in Tokyo.

Enclosure No. 3 with
Mr. Buck's No. 182

The Japan Gazette.

YOKOHAMA. 9TH AUGUST. 1898.

IT seems to be established beyond doubt that the Japanese Government have taken some steps with the view of arriving at an understanding with the United States and Great Britain in regard to the Philippine Islands. The practical unanimity of the press in declaring that something of the sort has occurred may be assumed to establish the fact. There does indeed seem to be good ground for the apprehension that certain of the European powers meditate interference in the settlement of the future of the Philippines. Germany's attitude, despite the official assurances and explanations that have been given, is decidedly significant, and there is little reason to doubt that both France and Russia will view with the deepest disapproval the occupation of the islands by either the United States or Great Britain and will only be reconciled to the formation of an insurgent republic by the reflection that such an arrangement cannot possibly be lasting. We cannot believe, all statements to the effect notwithstanding, that the United States Government intend to leave the islands, with the exception of a port or two, in the hands of the Spanish or of the insurgents, according as one or the other may be able to muster the more power at a particular spot. It is quite true that the liberation of the Philippinos was not one of the objects of the war, but since the war began it has with its kindred considerations forced itself into view. In striking a blow at Spain with a view to speedily terminating the war the United States Government landed troops upon Philippine soil; their operations against the Spanish forces revived the dying embers of the rebellion, and they cannot now evade the responsibilities that have been created. The Japanese Government, we doubt not, see clearly that in American occupation of the islands will be the only escape from a serious situation—it remains indeed to be seen whether it will actually be a means of escape; and realise that there should be an understanding as to what shall be done in case the United States are told "hands off" as in the case of the Liaotung Peninsula.

Enclosure No. 4 with
Mr. Russell's No. 182

The Japan Daily Herald.

SATURDAY, AUGUST 6TH, 1898.

THE *Jiji* in an article on the Philippine problem expresses the hope that the Islands may be held by America, not for their own sake only, but for that of the world. If the latest reports are worthy of credence, America appears to have rejected the idea of holding the Islands, and in that case they would most likely revert to Spain, incapable as she is of peacefully governing them, more especially now that the war has crippled her original resources. To entrust the Islands to the keeping of the rebel leader AGUINALDO, and to recognise their independence as a Republic, would be a dangerous policy. Nobody can doubt but that there are Powers in Europe which would be ready to take advantage of these conditions to take possession of the Islands, which have long been coveted. The action of Germany is regarded as suspicious in view of the rumour of the formation of a tripartite alliance between that country, France and Russia, the accredited object of which is the partition of the Islands. If America contents herself with no more than a small portion, they are not likely to be out of danger of seizure by some other Power. As Japan has no intention of taking possession of land which belongs to another, and though Japan herself might not be materially affected by any solution of the problem, one way or the other, yet seeing that the acquisition of the Islands by any other Power save America would constitute a menace to peace in the Orient, it is necessary that she should raise immediate objection to a movement of that kind. Peace is the guiding principle which has been adopted by every American President since the declaration of independence, and which was crystalised so to speak in the Monroe doctrine, so far as the extension of America's own dominions was concerned, in which respect that doctrine became a national prohibition of aggrandisement. This principle of peace was designed for the furtherance of the welfare and prosperity of the nation, and it is to it that the present progress of the States is mainly due. The gallant and noble resolution of America to declare war against Spain is actuated, the writer declares, by a desire to extend to the Cuban people the same rights and advantages accruing from peaceful government, that are enjoyed by the States themselves. The annexation of Hawaii is also attributable to the same cosmopolitan principle. Even though contrary to her original intention, America ought to stand responsible for the final settlement of the Philippines, in so far as the peace of the Orient is involved. America, England and Japan, whose interests in the Far East are identical, should jointly object to the possession of the Islands by any other country. It is rumoured, though the rumour has not yet been confirmed, that the continental Powers will hold a conference on this subject. In any event, however, no other Powers save America, England and Japan must be permitted, our contemporary insists, to concern themselves actively with the question of the final disposal of the Islands. Spanish sovereignty or independence might be recognised if shown capable of maintaining peace, but it behooves America, England and Japan to keep a keen watch on the Islands in order to prevent, by force if necessary, any aggressive action on the part of other countries. We believe, concludes the writer, that those in charge of foreign affairs in the Japanese Government, will not fail to take steps in connection with this matter, at the close of the Hispano-American war.

Encl. No. 5 with
Mm. Buck's No. 182

The Japan Times.

TOKYO, SUNDAY, AUG. 7TH, 1898.

HE PHILIPPINE QUESTION.

nother column we transcribe a suffi-tly noteworthy article from the *Nippon* he subject of triple alliance between country, England and the United es. It has just enough tinge about it uggest "inspiration" which makes it resting reading at this moment. But we k the journal commits an error where resumes the existence of American arrassment owing to the meddlesome ude assumed by certain European vers. Why indeed should there be arrassment? America has had Eng-'s assurance that the latter enter-s no objection whatever against her pation of the Philippines; and she ws that we here are as a nation amicably osed in the matter. And she is herself eat nation: she has only to put her foot n, no matter what sinister intrigue is g hatched in Europe. It will be an lt to her to speak of embarrassment for rnal reasons, under the circumstance. 'e are aware however of an internal mstance which is militating against erica's forward policy in these waters. re is the Monroe doctrine in the first e. Then some of the most prominent of the Republic such as ex-President veland, Bryan, Prof. Woolsey the ed international jurist of the Yale, have already raised their voices nst what they arbitrarily term "depar-for Imperialism." In addition Pre-nt McKinley himself seems apparent-be a man of naturally conservative encies. And it may not be difficult imagine that the question of the disposal of the Philippines is even of causing a division of opinion the Washington Government. If ever one takes the trouble to ex-n into the views offered by the first gentlemen named, he would readily hat they consist of nothing but windy imentalism, with a flavouring of ntic dogmatism and dealing with the lem from one side only, while Profi olsey's, though drawn up with habitual iousness, is but a college room dis-se in potential mood. Indeed their entions, reduced to plain English, ld simply mean that Americans must l swelled head and entering upon a piratical career of grab, while they have plenty to do at home. But for the time being they conveniently forget their own claim that the United States is a great Commercial Power; that as such, she must employ diplomacy, guns and warships, which simply take the place of the "tricks of trade," commercial travellers and lawyers, of a private merchant; that like any other nation, she has reputation, dignity, rights and interests to maintain with an ever widening field of enterprise; and that the cosmogenic principles now at work underlying the progress of modern civilization, do not allow of any individual country to prosper while leading a life of walled mediaeval provincialism. In short the whole fault with the American conservatives seems to be in their inability to perceive that America's need for a forward policy as regards these parts was created when her first commercial interest was established in Eastern Asia, and that the Philippine question is one of practical utility, not of war and conquest and still less of vain rhetoric.

But to return to the subject of triple alliance, we reiterate that it is absurd to talk of American embarrassment because of European aggressiveness. On the other hand however we firmly believe that it will be as much to America's own interest as to ours and England's if she should retain her foot hold in the Eastern Pacific, for it will be an assurance of a peaceful and equitable development of the Far East. We would therefore welcome any move on the part of our Government to convince our Republican neighbour of the necessity of co-operation among the three powers for the effective solution of the Philippine Problem.

TRIPLE ALLIANCE.

The *Nippon* publishes a significant note under the above heading, or to be strictly accurate, triple alliance of Japan, England and America. Now that, says our contemporary which enjoys relatively an easy access to official news, the Hispano-American war is virtually brought to a close, the attitude of the Powers towards the belligerents appears to be not entirely of a peaceful and re-assuring nature. The latest intelligence reports that the three Powers, Russia, France and Germany have come to a certain agreement with regard to the Philippine question. The object of such an agreement, it need scarcely be added would be following the procedure on the occasion of the Japan-China war, to utilize this opportunity into serving their own interests and benefit. More especially it is rumoured of Germany that her intention is to avail herself of this agreement in obtaining a portion of the Philippine group or some other concession equal to it.

Now it being a foregone conclusion from their action on the occasion of the Japan-China war, that the three Powers named would abuse their right of interference towards the present Hispano-American affair, the Ministry in Power, composed as it is of men strongly interested in Far Eastern affairs is conscious of the desirability of adopting some measures that would detract the public attention. Especially so at this juncture when, in view of the Cabinet still failing to secure a solid and stable basis because of the shortness of time since its organization, it seems to have decided to adopt a certain definite policy with regard to this Hispano-American question. The Ministry's idea seems to be that America being embarrassed at the interfering attitude taken up by the Powers, Japan ought to open negotiations with England who is amicably disposed towards America, to the end that on the joint efforts of England and Japan the interference of the Powers might be successfully thwarted and America, in virtue of their help, might realize the fruits of her victory. It must have been in pursuance of such a policy, conjectures the *Nippon*, that the Japanese Government is reported to have opened negotiations with England on the question of the settlement of the present war. This must be the reason why Mr. Oishi, Minister of Agriculture and Commerce, is bringing to the notice of the public foreign questions in his public speeches and lectures, with the intention, it may easily be surmised, of turning the people's attention to external affairs. Some say that the increased attention paid to foreign affairs by the present Government is an outcome of its embarrassment, and a desire to detract the attention of malcontents from home politics, and that as a similar policy adopted by the Ito Government culminated in the war with China, an extraordinary and momentous consequence might be evolved out of the present Government doings. This remark might be worthy of notice on the part of the Government. It is of course premature to speak of the successful formation of the triple alliance, but nobody would condemn it as useless in view of the arbitrary actions the part of Russia, France and Germany, their joint efforts frequently tending to disturb the peace of the world. Especially does this remark apply to the Philippine question which is inseparably connected with peace in these waters. All things considered, such rumours about a triple alliance cannot be regarded as merely accidental.

The Japan Times.

TOKYO, WEDNESDAY, AUG. 10TH, 1898.

Encl. No. 6 with Mr. Buck's No. 182

THE ANGLO-AMERICAN FUTURE.

THE above is the heading under which Mr. Frederick Greenwood, in his usual knowing mood, gives bent to his prophetic powers in the July number of the *Nineteenth Century*. One may get an idea of the trend of the author's argument from such sentences as ".....we may usefully remember the birth and origin of the Anglo-American *rapprochement*. A distinguished American politician said the other day that the most remarkable thing about it was its spontancity: its true quality was marked by the fact that it did not spring from any sudden or any special needs. Now that is indeed what we could wish; but it is not the truth, and everybody knows it. The feeling arose on our side about the time and for the reason that Mr. Chamberlain spoke of our need of alliances. On the other hand it arose when apprehension of European interference was fresh and keen in the United States. Here, then, was the special need on either part which a poor Pecksniffian make believe, both here and there, pretends the absence of." Yes, the writer presently proceeds: "Between *can* and *will*, however, there is a very long distance; and. . . I express no belief in the European intervention which would pit England and America against the continental Powers." And as a reason why, he offers: "Yet when the question whether the United States shall be forbidden the use of their 'new national policy' (to be a 'world-power'), I think that, if we look for it, we may find a superior canniness in refraining. Therefore we may pretty confidently expect that Russia will refrain; and Russian affability would probably settle the whole question of European dictation. German fishing in the Philippines while the islands are still Spanish is not decisive of hostility to America, and both Germany and France have strong domestic reasons against making themselves violently hated in that country. Besides—and all this, perhaps is as strong a point as any—all three Governments may speculate on the likelihood that the Americans are not so much in love with one alliance as never to accept another. There is much in that reflection." Finally he comes to the conclusion: "The need of an English alliance over there will fade out one fine day, and therewith all thought of it as a phantom fades."

With due respect to our author, we feel constrained to express our surprise at the shallowness of his view with which he disposes of this pregnant question, in which, though a third party we for obvious reasons, entertain appreciable interest. Mr. Greenwood's comprehension as to the "birth and origin of the Anglo-American *rapprochement*," may be perfectly correct, and his grasp of the European situation may also be tenable; but, we think, he fails altogether to recognize other influential factors which enter into the shaping of the destinies of the two nations. He himself says towards the close of his article: "Meanwhile it behoves us to take account of the fact that soon there will be another great fighting Power in the World." That Power is of course, the United States, and that with its advent in its new role, the nations of the world will have to listen to one more voice, will no less be certain. It may then be asked, in what direction will that voice be first raised?

With England on her side, the United States is all powerful on the American continent. She harbours no ambition for Africa. The only field of exploitation in which she is even now immediately interested is the Far East. As in duty bound to herself she must not long remain a silent by-stander in the rapidly progressing game of "sphering" out China, and it will be in these parts, that she will first insist on being heard. Why has she annexed Hawaii? Why has she occupied the Carolines? Why do the more progressive and farseeing of her leaders want to retain the Philippines or at least Manila? All to have a clear seaboard across the Pacific. But why across the Pacific? Because America wants her share in the trade of the Far East, the unexplored treasure house of the World.

But will Russia, Germany and France heed America's claims in China, when she prefers them by herself? Not likely. Every body knows that the three powers are doing their utmost to oust England from the Chinese arena; they to want denationalize China. Why then should they welcome America more than England to have a finger in the pie, especially when the former is known to be in favour of China's integral existence? It will be waste of words to dwell on the necessity of English co-operation to ensure American success in these waters. And it will be madness to talk of "splendid isolation" for America, in the face of the continental combination of Europe, even though England may keep herself aloof. Who then can say that the need for Anglo-American understanding will disappear with the termination of the present war? It will be triumphal emergence from this war that will give birth to what may be called, for the first time, the foreign policy of the United States of America, and that is connected with the Chinese question.

The Philippine problem in itself is a very simple one, and as we have already said America has only to put her foot down. But it is a prelude to the Chinese "puzzle," and we believe that both this country and England will be willing to work together for its proper solution with her and thus incidently expedite the Philippine affair for the great

Enclosure No. 7 with
Mr. Buck's No. 682

THE YORODZU CHOHO.

English Department—No. 702.

TOKYO, THURSDAY, AUGUST 11TH, 1898.

THE TRIPLE ALLIANCE.

It is becoming more manifest as days go on that Germany, France and Russia are secretly planning to play a sinister trick upon America about the question of the Philiphines, just like one that they did upon Japan with regard to her victory in Manchuria. The three Powers have combined and deprived us of a valuable piece of spoils, which was by the right of conquest rightly ours. Now they are going to interfere to prevent America from having free hands in the disposal of the territory she has conquered in the Philippines. It would be plain to everybody that they take this step, because they have ulterior designs on the islands. Russia has forced us to abandon the Liaotang Peninsula, in order to seize it herself afterwards, as she has lately done. The three Powers wish to see the Philippines left untouched, because they intend to annex them when proper opportunities come in future.

Will it be advantageous for the welfare of the Japanese nation that the southern islands should be possessed by any of the three Powers? On this point we have more than once definitely expressed ourselves that to have as our southern neighbor a Power, whose interest is entirely at variance with ours at all times, and whose policy is always territorial aggrandisement, is utterly inconsistent with the preservation of the peace of the East and very dangerous to the integrity of our freedom and independence. Japan should therefore do her best, even at the risk of a war, to prevent the occurrence of such a turn of events.

It is said that Great Britain has approached our Government with a proposal that she, America and Japan should enter a league against the combination of Germany, France and Russia. We hope this report is true and that the Government would unhesitatingly accept the proposal. For, to prevent the three Powers from having a controlling voice in the disposal of the Philippines is not merely for the sake of America, to whom the Japanese nation is greatly indebted for many favours she has shown us since the opening of the country and therefore we ought to remain always friendly to her and some day to pay them back, but is also for the sake of our own safety and independence. Let us then join hand in hand with Great Britain and America, the two most progressive and enlightened nations of the world and oppose the selfish, sinister advance of the three Powers. Once the triple alliance is accomplished, all their wicked designs not only on the Philippines but also on other parts of the East would be beautifully frustrated, if not forever, at least for some time to come.

DIPLOMATIC,
SEP 14 1898
BUREAU.

INDEX BUREAU
RECD.
13 SEP 1898
DEPT. OF STATE

No. 183.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August I5, I898.

Mr. Buck,

to the Secretary of State.

Subject:

Confirming telegram of August I2th, from Department, relating to the signing of preliminary protocol of peace between United States and Spain.

No. 183.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 15, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir,

I have the honor to acknowledge the receipt of the Department's telegraphic instruction of date August 12th, 1898, relating to the signing of a protocol on that date by representatives of the United States and Spain, thereby concluding the preliminaries of peace, the reading of which telegram as received is appended on the overleaf.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

Reading of telegram, Secretary of State to Mr. Buck,

received Tokyo, August I4, II:30 A.M.

Washington, August I2, I898,

"Buck, Minister, Tokyo.

" A protocol signed to-day by representatives of t
"United States and Sapin concludes the preliminaries of pe
"Spain relinquishes sovereignty to and evacuates Cuba; ev
"ates and cedes Porto Rico and other islands in the West I
"dies and cedes an island in the Ladrones to be selected,
"the United States. The United States occupies and holds
"city, harbor and bay of Manila pending the negotiation o
"treaty of peace which shall determine the control, dispo
"tion and government of the Philippine Islands. Hostilit
"are forthwith suspended pending execution of these terms
"Plenipotentiaries not more than five on each side will m
"at Paris on or before October first to conclude definiti
"treaty of peace.

DAY

DIPLOMATIC,
SEP 14 1898
BUREAU.

INDEX BUREAU
REC'D.
13 SEP 1898
DEPT. OF STATE

No. 184

LEGATION OF THE UNITED STATES

Tokyo, Japan, August 15, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Acknowledging receipt of instruction of date July 15, 1898, relating to conventions etc. of International Postal Congress.

No. 184.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 15, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D.C.

Sir,

I have the honor to acknowledge the receipt of your unnumbered instruction of date the 15th ultimo , relating to the conventions and arrangements concluded on June 15, 1897, by the International Postal Congress held at Washington, and to state that the information therein contained will, in accordance with that instruction, be immediately communicated to the Government of Japan.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
SEP 14 1898
BUREAU.

INDEX BUREAU
RECD.
13 SEP 1898
DEPT. OF STATE

2D ASSISTANT SECRETARY,
To Secretary of Navy
" War
for information
Ack. SEP 14 1898

No. 185.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 15, 1898.

Acted
To Navy
Dept
Sept 15

Mr. Buck,

to the Secretary of State.

Subject:

Further report regarding the German cruiser "Arcona".

No. 185.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 13, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir,

Referring to my despatch No. 179, of July 28th last, confirming my telegram of the day before in respect to the German cruiser Arcona leaving Nagasaki for the Caroline Islands, though from the newspaper report it appeared that she left for Kiao Chow, I have the honor to state that I now see it reported, on the authority of the Hong Kong Daily News that that ship went from Nagasaki to Kiao Chow with three months supplies obtained in Nagasaki, and has since left Kiao Chow for the Caroline Islands.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,
SEP 14 1898
BUREAU.

2D ASSISTANT SECRETARY,
Ack. by Number and File.
SEP 14 1898

INDEX BUREAU
REC'D.
13 SEP 1898
DEPT. OF STATE

No. 186.

LEGATION OF THE UNITED STATES,

Tokyo, Japan, Auguat 16, 1898.

Mr. Buck,

to the Secretary of State.

Subject:

Result of General Election for Lower House of the Diet.

No. 186

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 16, 1898.

Honorable William R. Day,

Secretary of State,

Washington, D.C.-

Sir:

Referring to my despatch No. 163, of date July 6 last, relating to the formation of a new Cabinet under Count Okuma and the prospect of a general election of members to the lower House of the Diet late in August, I have the honor to state that the general election has already been held , somewhat earlier than was then anticipated, resulting in an overwhelming majority for the Constitutional Party,as the combination headed by Counts Okuma and Itagaki is called .

The following is the result of the election as given by most reliable sources of information:

Constitutional Party,		
Progressives	109	
Liberals	94	
Other Constitutionalists	50	
Total Constitutionalists		253
National Unionist Party		20
Independents and Business Men		27
Total in House		300

I

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck

DIPLOMATIC,

OCT 7 1898

BUREAU.

No. 187.

2D ASSISTANT SECRETARY,
To Treasury, regarding steps as a final disposal of the question -
When Treasury replies, instruct Mr. Buck accordingly -
OCT 6 1898

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 29, 1898.

INDEX BUREAU
REC'D.
6 OCT 1898
DEPT. OF STATE

Copy to Treasury Oct. 6/98 C.

To the Honorable William R. Day,

Secretary of State,

Washington.

Sir:

See instruction to Nagasaki, Dec 14/98

Mr. Buck

to the Secretary of State.

Subject:

Mr. Buck's conclusion that it is not the intention of the Japanese Government to admit free of duty United States Consular supplies.

No. 187.

see letter to Dept Dec 24/97

LEGATION OF THE UNITED STATES,

Tokyo, Japan, August 29, 1898.

To the Honorable William R. Day,

Secretary of State,

Washington,

Sir:

Referring to my Dispatch No.59 of date November 29th last, in respect to the matter of the admission free of duty by Japan of official supplies furnished by the Department to our Consuls in this country, and to the result of my presentations to the Japanese Government of the views of the Department set forth in Instruction No.40 of October 15th last, wherein I gave my conclusion from verbal statements of officials as well as upon my construction of the note from the Foreign Office (Enclosure No.2 with my No.59 above mentioned), that while no general order could be given for the entry duty free of such supplies, yet it was the purpose so to instruct the customs officials in any special case upon special application, I have the honor to inform you that, since then, Consular supplies have arrived for our Consul at Kobe, and upon special request made by me at the Foreign Office, it appears that the customs officials of that port received such instructions as did not warrant them in clearing the supplies free of duty, though after much delay and trouble on the part of our Consul there they were delivered, finally, free of duty.

I

I am now fully convinced that it is not the purpose of the Japanese Government to comply with the request of the Department to extend reciprocal courtesies generally or in special cases in the matter of the admission of our Consular supplies without the payment of duty.

Hence I have revoked my instruction to our Consuls in Japan to report to me the arrival of Consular supplies with a view to securing their free entry.

I have the honor to be,

Sir,

Your obedient servant,

A. E. Buck